of New York
1798 to 1799

JOURNAL

OF THE

ASSEMBLY

OF THE

STATE

OF

NEW-YORK;

AT THEIR TWENTY-FIRST SESSION, BEGAN AND HELD AT THE CITY OF ALBANY, THE SECOND DAY OF JANUARY, 1798.

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JOURNAL

OF THE

GENERAL ASSEMBLY

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STATE OF NEW-YORK.

ASSEMBLY CHAMBER IN THE CITY OF ALBANY,
TUESDAY, JANUARY the 2d, 1798.

THIS being the day appointed by law for the Meeting of the Legiſlature, the Gentlemen whoſe names in the following liſt are marked with an *aſteriſm*, being a ſufficient quorum to proceed on buſineſs, appeared in the aſſembly-chamber.

The ſaid liſt contains the names of the Repreſentatives in Aſſembly, for the preſent Seſſion.

From the City and County of New-York.

* Thomas Storm,
* Aaron Burr,
* William Denning,
* De Witt Clinton,
* Jacob De la Montagnie,
* Ezekiel Robins,
* James Hunt,
* William Boyd,
* Philip I. Arcularius,
* George Warner,
* Samuel L. Mitchill,
* James Fairlie,
* Ebenezer S. Burling.

From the City and County of Albany.

* Dirck Ten Broeck,
* Nathaniel Ogden,
* Philip P. Schuyler,
* Andrew N. Heermance,
* John Prince,
* Thomas E. Barker,
* Joel Thompſon,
* Peter Weſt,
* Johan Joſt Deitz,
* John H. Wendell.

From the County of Suffolk.

* Abraham Miller,
* Joſiah Reeve,
* Silas Wood,
* John Howard.

From the County of Ulſter.

* Philip D. Bevier,
* Jacobus S. Bruyn,
* John A. De Witt,
* Andrew McCord,
* John C. De Witt,
* Phineas Bowman,
* John Barber.

From the County of Queens.

* William Pearſall,
* Whitehead Cornwall,
* Stephen Carman,
* John I. Skidmore.

From the County of Kings.

* Peter Vandervoort.

From the County of Richmond.

* Peter I. Micheau.

From the County of Orange.

* Moſes Hatfield,
Benjamin Coe,
* James Burt.

From the County of Weſtcheſter.

* Abel Smith,
* Elijah Lee,
John Barker,
* Charles Teed,
* William Adams.

From the County of Montgomery.

* George Metcalfe,
* James Hildrith,
* Robert McFarlan,
* Jacob Snell,
* Frederick Gettman,
* Philip Van Alſtyne.

From the County of Dutcheſs.

Luther Holly,
* John Thomas,
* Joſeph Potter,
* Jacob Smith,
* Samuel Towner,
* Lemuel Clift,
William Barker,
* William B. Verplanck,
* Philip I. Schuyler,
* Jeſſe Thompſon.

From the County of Washington.

* Melancton Wheeler,
* Edward Savage,
* Daniel Mason,
* Thomas Smith,
* Charles Kane,
* Reuben Pride.

From the County of Columbia.

* John C. Hogeboom,
* Caleb Binton,
* Killian Hogeboom.
* Samuel Ten Broeck,
* Elisha Jenkins,
* Peter I. Vosburgh.

From the County of Saratoga.

* Adam Comstock,
* Seth C. Baldwin,
* Aaron Gregory,
Douw I. Fonda,
* Samuel Clark.

From the County of Otsego.

* Joshua Dewey,
* Elijah Holt,
* Francis Henry,
* Timothy Morse.

From the County of Clinton.

* Daniel Ross.

From the Counties of Ontario *and* Steuben.

* Charles Williamson,
* Amos Hall.

From the County of Herkimer.

* Gaylord Griswold,
* Henry M'Neal,
* Nathan Smith,
* Matthew Brown, jun.
Benjamin Bowen,
* Ludwick Campbell,
Isaac Foot.

From the County of Rensselaer.

* John Bird,
* Israel Thompson,
* Jacob A. Fort,
* Hosea Moffet,
* Daniel Gray,
* Jonathan Hoag.

From the County of Tioga.

* Emanuel Coryell,
* Benjamin Hovey.

From the County of Onondaga.

* Silas Halsey,
* Comfort Tyler.

From the County of Schohary.

* John Rice.

From the County of Delaware.

Nathaniel Wattles,
* William Horton.

Josiah Ogden Hoffman, Esquire, one of the Commissioners, appointed by a Commission, in nature of a *dedimus potestatem*, to administer oaths, attended in the Assembly Chamber, and the Members present, respectively took and subscribed before him the oath of abjuration and allegiance, as by law required, and an oath to support the Constitution of the United States.

The House then proceeded to choose, by ballot, a Speaker; the ballots being taken and counted, it appeared that DIRCK TEN BROECK, was duly elected: Thereupon,

Resolved, That Dirck Ten Broeck be, and he is hereby appointed Speaker of this House, and he was placed in the chair accordingly.

Resolved, That James Van Ingen be, and he is hereby appointed Clerk to this House.

Resolved, That Robert Hunter be, and he is hereby appointed Serjeant at Arms to this House.

Resolved, That Peter Hansen be, and he is hereby appointed Doorkeeper to this House.

Ordered, That Mr. Wood and Mr. Clinton, wait on his Excellency the Governor, and inform him, that this House is met, and ready to proceed on business.

Ordered, That Mr. Verplanck and Mr. Jenkins, wait on the Hon. the Senate, and inform them, that this House is met, and ready to proceed on business.

A message from the Hon. the Senate, was delivered by Mr. Hatfield and Mr. Savage, that the Senate were met, and ready to proceed on business.

Mr. Verplanck reported, that pursuant to the order of the House, Mr. Jenkins and himself had waited on the Hon. the Senate, and informed them, that this House had met, and were ready to proceed on business.

Mr. Wood reported, that pursuant to the order of the House, Mr. Clinton and himself had waited on his Excellency the Governor and informed him, that this House had met, and were ready to proceed on business, and that his Excellency was pleased to say that he would send a Message by his Secretary.

A meſſage from his Excellency the Governor, by his private Secretary, that his Excellency will immediately meet this Houſe, in their Chamber.

His Excellency the Governor having accordingly met this Houſe in their Chamber, and his Excellency and the Hon. the Senate who had alſo attended, having reſpectively retired, Mr. Speaker reported to the Houſe, that his Excellency had been pleaſed to make a Speech to both Houſes of the Legiſlature, and to deliver him a copy thereof; the ſame being read, is in the words following, viz.

Gentlemen of the Senate and Aſſembly,

It muſt afford ſincere and cordial ſatisfaction to our fellow citizens, to ſee the Repreſentatives whom they have freely choſen, thus peaceably and calmly aſſemble, to deliberate on their common concerns, and to concert the meaſures moſt conducive to their common proſperity.

Nor will they derive leſs ſatisfaction from the reflection, that at this moment the Repreſentatives of the Nation, of which this State conſtitutes an important Member, are in like manner convened, and in harmony proceeding to conſider and provide for our national intereſts.

This is an eventful and intereſting period; and very important and impreſſive are the circumſtances and conſiderations, which render union, prudence and energy eſſential to the welfare, if not to the ſafety, of the United States. May the great Author and Giver of good counſels diſpoſe and enable our governments and people to fulfil their reſpective duties wiſely.

During the laſt ſummer, an extraordinary occaſion induced the Preſident to convene the Congreſs—Their acts and journals will be laid before you, for your information. Among the acts there is one of which it is proper to make particular mention.

It is entitled "An act authorizing a detachment from the militia of the United States." By it the Preſident is empowered to require of the Executives of the reſpective States, to take effectual meaſures, at ſuch time as he ſhall judge neceſſary, to organize, arm, and equip, and hold in readineſs to march, at a moment's warning, the proportion of eighty thouſand men aſſigned to them reſpectively.

In purſuance of this act, the Preſident has been pleaſed to direct, that the quota of troops aſſigned to this State, ſhould be held in readineſs; and orders have been accordingly given, and in numerous inſtances have been complied with in a manner very honourable to the militia of this State.

It will not eſcape your obſervation, Gentlemen, that by this act the Executives of the ſeveral States are not only to organize, but alſo to *arm* and *equip* the detachments required of them. When on this, or any future occaſion, ſuch detachments ſhall be called to the field, it is not to be expected that they will be found completely armed and equipped. There will doubtleſs be deficiencies; and to me it appears proper, that the neceſſary ſupplies ſhould be ſeaſonably provided, and that they be managed in the manner beſt calculated to guard againſt waſte and miſapplication.

On reviewing the internal affairs of the State, you will, I think, find it neceſſary to amend ſome of our exiſting ſtatutes.

The act making alterations in the criminal law, and ſubſtituting the puniſhment of impriſonment, inſtead of death, for certain felonies, appears to me to have omitted either expreſsly to declare, or impliedly to decide, whether in any and what reſpects the convictions in thoſe caſes extinguiſh or affect civil rights and relations.

The reſtriction in the act reſpecting aſſiſtant attornies general, which limits the appointments to counſellors at law *reſident* in the reſpective diſtricts, has been, and ſtill is, in one of the diſtricts, productive of inconvenience and embarraſſment.

The laws reſpecting quit-rents might in my opinion be amended by a proviſion, enabling the holders of land ſubject to it, to acquire at any time an exoneration from that charge, on juſt and reaſonable terms. To me it appears adviſeable, that the proprietors of land throughout the State, ſhould, by the gradual operation of ſuch a proviſion, be eventually placed in this reſpect on a ſimilar and equal footing.

Imperfections in the militia laws are frequently experienced; and the relation which this ſubject bears to the defence of the nation in general, and of this State in parti-

cular places it in an intereſting point of light.—The maxim that every nation ought to be conſtantly prepared for ſelf-defence, is founded on the experience of all ages—it is true at all times, and under all circumſtances—it is by the conſtitution of the State expreſsly recognized and adopted, and in ſtrong terms enjoined as a duty on the legiſlature. It deſerves therefore, to be conſidered, whether the proviſions made by the exiſting laws for this object, are ſufficiently ample and adequate.

Under colour and cover of the act for defraying county charges, taxes are often ſo unequally aſſeſſed on unimproved wood land, and with ſuch inexcuſable waſte and deſtruction collected, as to require legiſlative interpoſition.—Every ſyſtem of taxation is certainly defective and exceptionable, which does not afford the beſt checks which human prudence and human laws can deviſe, againſt partiality, fraud and oppreſſion. That government cannot ceaſe to attract and to preſerve confidence and attachment, which leaves no rights without protection, no grievances without redreſs.

It is conſidered as a rule to which there are few exceptions, that when a law is treated with manifeſt and general diſreſpect and diſobedience, it ſhould either be repealed, or more competent means to enforce it be deviſed; a tolerated violation of one law naturally leading to and encouraging the infraction of others.

Although the obligation to obſerve and obey equal and conſtitutional laws, plainly reſults from our ſocial compacts, and makes a part of the moral law, yet the ſtatute prohibiting uſury and limiting the intereſt of money, is notoriouſly and daily violated, and that not only by thoſe on whom ſuch conſiderations have little influence, but even by too many of thoſe whoſe characters and conduct are in other reſpects fair and correct.

There is alſo much reaſon to regret that more reſpect is not generally paid to the injunctions of the act relative to Sunday—If the Sabbath be, as I am convinced it is, of divine appointment, this ſubject ought not to be regarded with indifference.

In a State ſo progreſſive as ours, new caſes and exigencies will frequently ariſe, and require legiſlative proviſion.

At leaſt two arſenals for the reception and ſafe keeping of military ſtores, are thought to be neceſſary—one at New-York, and another at this place. For the one at New-York the corporation of that city have liberally and gratuitouſly granted to the people of the State, a large and valuable lot of ground, and the commiſſioners have my approbation to erect an arſenal on it.

The ſituation of Albany, conſidered in relation to the other counties, to ſecurity, and to the facility of tranſportation by land and water, ſeems to point it out as a proper place for an arſenal; and on a larger ſcale than the one propoſed for New-York. If theſe ideas ſhould meet with your concurrence and approbation, the means of realizing them will of courſe be attended to.

The value and importance of the military ſtores which will from time to time belong to the State, require that they ſhould be well preſerved, and alſo ſecurely kept. Both theſe conſiderations unite in ſuggeſting, whether theſe purpoſes can be ſo properly and œconomically effected, as by a competent number of guards, carefully ſelected, organized and regulated. The utility of this meaſure becomes more apparent, on conſidering that it may be made ſubſervient, not only to the ſecurity and buſineſs of the arſenal, but alſo to the ſecurity of the State priſon; every eſcape from which, however cauſed, will in a degree counteract the purpoſes of that benevolent inſtitution.—Sound policy dictates, that our preſent mild puniſhments ſhould be made to produce by their *certainty* and *duration*, a portion of that dread, which ſanguinary ones impreſs by their *ſeverity*.

I forbear, gentlemen, to preſs your attention to the great intereſts of Learning, Public Juſtice, Agriculture and Commerce; being perſuaded that nothing will be omitted to render the ſeſſion uſeful to our fellow citizens, and honourable to their Repreſentatives.

JOHN JAY.

Ordered, That the Speech of his Excellency the Governor be committed to a committee of the whole Houſe.

Ordered, That the Speech of his Excellency the Governor be forthwith printed, and that three hundred copies be furniſhed for the uſe of this Houſe, and that the Clerk ſuperintend the printing thereof.

Ordered, That Mr. Fairlie, Mr. Brown, Mr. Jenkins, Mr. Moffat and Mr. J. Hogeboom, be a committee of Ways and Means.

Ordered, That Mr. Griſwold, Mr. Kane, Mr. Roſs, Mr. Metcalfe and Mr. Prince, be a Committee for Courts of Juſtice; that all members who attend have voices; that they have power to ſend for perſons, papers and records, and that they from time to time report their proceedings, with their opinions thereon, to the Houſe.

Ordered, That Mr. P. I. Schuyler, Mr. Wendell, Mr. Comſtock, Mr. Hoag and Mr. Brown, be a Committee for Grievances; that all members who attend have voices; that they have power to ſend for perſons and papers, and that from time to time they report their proceedings, with their opinions thereon, to the Houſe.

Ordered, That Mr. Williamſon, Mr. Clinton, Mr. M'Farlan, Mr. Bird and Mr. Savage, be a Committee of Privileges and Elections; that all members who attend have voices; that they have power to ſend for perſons, papers and records, and that they from time to time, report their proceedings, with their opinions thereon, to the Houſe.

Ordered, That Mr. Verplanck, Mr. Bowman, Mr. Baldwin, Mr. Maſon and Mr. Coryell, be a Committee to inſpect what laws have expired, or are near expiring; and that they from time to time report to the Houſe, which of them they judge neceſſary to be revived or continued; and likewiſe, what new laws they ſhall conceive neceſſary to be made for the benefit of the State.

John Barber, one of the Members of this Houſe, returned as duly elected in the county of Ulſter, appeared in the Aſſembly Chamber, and was duly qualified, in preſence of the Houſe, by Joſiah O. Hoffman, Eſquire, one of the commiſſioners appointed by a commiſſion in nature of a *dedimus poteſtatem* to adminiſter oaths.

Ordered, that Mr. Barber do take his ſeat.

A meſſage from the Hon. the Council of Reviſion, delivered by the Hon. Mr. Juſtice Benſon, together with the bill therein mentioned, was read, That the Council object to the bill entitled, "*An Act to veſt certain Powers in the Freeholders and Inhabitants of the Villages of Troy and Lanſingburgh, and for other Purpoſes therein mentioned.*"

Becauſe the proportion according to which the taxes provided by the bill to be raiſed within the ſeveral villages of Lanſingburgh and Troy, are to be aſſeſſed on the freeholders and inhabitants, is to be their reſpective relative property or ability; and theſe terms *property* and *ability* being of too various and indefinite import to deſignate or deſcribe, with due certainty, the things, conſiderations or other matters for which a perſon is to be aſſeſſed or taxed, the proportion ſuppoſed by the bill muſt remain equally uncertain, and the aſſeſſors, in apportioning the tax among the ſeveral perſons by whom it is to be borne, will, in effect, be left to their abſolute diſcretion, for want of a rule to guide or controul them, and may even ſuppoſe themſelves authorized to aſſeſs a greater proportion or quota on a perſon in conſideration of a property in lands not within the limits of the village, and no mean to detect or correct the abuſe; it therefore appears improper to the Council that a bill ſo defective in a part ſo material hould become a law.

The conſideration of the ſaid objections was poſtponed until Tueſday the 9th inſt.

Then the Houſe reſolved itſelf into a committee of the whole Houſe, on the Speech of his Excellency the Governor; and after ſome time ſpent thereon, Mr. Speaker reſumed the chair, and Mr. Denning, from the ſaid committee, reported, that the committee had agreed to a reſolution, that a reſpectful addreſs be preſented to his Excellency the Governor, in anſwer to his ſpeech, and that a committee be appointed to prepare a draft of ſuch addreſs, which he was directed to report to the Houſe, and that he was directed to move for leave to ſit again.

Mr. Denning read the report in his place, and delivered the ſame in at the table, where it was again read, and agreed to by the Houſe.

Ordered, That the ſaid Committee have leave to ſit again.

Thereupon Reſolved, That a reſpectful addreſs be preſented to his Excellency the Governor, in anſwer to his ſpeech, and that Mr. Metcalfe, Mr. Wood, and Mr. Williamſon, be a Committee to prepare a draft of ſuch addreſs.

A communication from John Morton, of the city of New-York, addreſſed to the Speaker, ſoliciting the appointment of Printer to the State, and the petitions of Charles R. and G. Webſter, and of Barber and Southwick, of the city of Albany, reſpectively, alſo ſoliciting the ſaid appointment, were ſeverally read, and ordered to lie on the table.

A communication from Samuel Jones, Eſq. Comptroller of the State, addreſſed to the Speaker, was read, and is in the words following, viz.

Comptroller's Office, Albany, 2d January, 1798.

SIR,

In purſuance of the Reſolutions, and orders of the Honorable Houſe of Aſſembly, at the laſt ſeſſion, I have examined the ſeveral petitions of Ebenezer Mott, Henry Marſelis, Elkanah Briggs, Matthew Dubois, James Dunlap, Thomas M'Kinſtry, John Joyce, Amos Schofield, Mary Black, William Miller, and John Cheeſeman and Rachel his wife, and others, children and heirs of Hannah Armſtrong, with the reſpective vouchers accompanying the ſame; and herewith encloſe reports thereon.

I have the honour to be,
With great reſpect,
Your obedient ſervant,

SAMUEL JONES.

The Hon. Speaker of the Houſe of Aſſembly of the State of New-York.

Ordered, That the conſideration of the ſaid communication, and the reports and papers referred to in the ſame, be poſtponed until to-morrow.

A meſſage from the Hon. the Council of Reviſion, delivered by the Hon. Mr. Juſtice Lanſing, together with the bill therein mentioned, was read, That the Council object to the bill entitled "*An act further to amend the act entitled an act to organize the militia of this State,*" as improper to become a law.

Becauſe the clauſe in the bill which authorizes any forty of the enrolled and un-uniformed militia of a regiment to form themſelves, by voluntary aſſociation, with the approbation of the commanding officer of the brigade, into a company, will probably tend to introduce and perpetuate diſſentions in regiments, promote diſorganization, and ſubvert ſubordination.

Becauſe the bill contemplates the forming additional companies in regiments already divided into Beats, and authoriſes the commanding officer of the regiment to aſſign the officers to ſuch additional companies from thoſe of the regiment—Thus *not* authoriſing the commanding officers of regiments to exact from the officers ſo aſſigned additional duties *ex officio*, *but* by devolving upon them a right of making permanent appointments, which virtually avoid thoſe made in the mode pointed out by the Conſtitution, cauſing vacancies in the ſeveral beats from which the officers ſo aſſigned are taken, which vacancies muſt of neceſſity for the purpoſe of preſerving the organization preſcribed by the exiſting militia law, be filled in the uſual conſtitutional mode.

Becauſe the general policy of military arrangements, combined with the conſideration, that it is a power veſted by the exiſting militia law, requires, that all the ſubordinate commands ſhould be aſcertained and controled by the commander in chief; who from his ſituation and means of acquiring information reſpecting the expediency of ſuch arrangements, is more competent to direct them.

The conſideration of the ſaid objections was poſtponed to Wedneſday, the 10th inſtant.

Reſolved, That the Rev. Mr. Johnſon, the Rev. Mr. Baſſett, the Rev. Mr. Elliſon, the Rev. Mr. Miller, and the Rev. Mr. Braun, be and they are hereby appointed Chaplains to this Houſe, to open the buſineſs thereof daily with prayer, and that the Clerk requeſt them to make ſuch arrangements among themſelves, as that one of them may be preſent daily, to open the buſineſs of the Houſe with prayer.

Then the Houſe adjourned until ten o'clock to-morrow morning.

Wedneſday, ten o'Clock, A. M. January the 3d, 1798.

William Barker, and Luther Holley, members of this Houſe, returned as duly elected in the county of Dutcheſs, and Douw I. Fonda, member of this Houſe, returned as duly elected in the county of Saratoga, ſeverally appeared in the Aſſembly Chamber.

Ordered, That Mr. P. I. Schuyler, and Mr. I. Smith, attend before one of the commiſſioners appointed to adminiſter oaths, with the gentlemen before named, and ſee them duly qualified.

A memorial of Philip Spencer, junior, of the county of Dutcheſs, complaining of the conduct of the Superviſors of ſaid county, in returning Jeſſe Thompſon, Eſquire, as a member of this Houſe for the preſent year; alledging certain facts and reaſons, tending to ſhew, that the return ſhould have been in favour of the memorialiſt, praying that the Houſe will inveſtigate the buſineſs, was read, and referred to the committee of privileges and elections.

A petition of Nehemiah Mead and others, inhabitants reſiding on a tract of land in the county of Waſhington, praying a grant of the ſaid lands, was read, and referred to Mr. Roſs, Mr. Baldwin, and Mr. Wendell.

A petition of Loring Andrews and Co. of the city of Albany, Printers, ſoliciting the appointment of State Printers, was read, and ordered to lie on the table.

A petition of Johannes E. Lott and others, Truſtees of the Academy of Eraſmus-Hall, Kings county, praying that the Legiſlature will grant them ſome pecuniary aid, or that they may by law be authorized to raiſe by lottery the ſum of £. 1200 for diſcharging the debts and compleating the repairs of the ſaid academy, was read, and referred to Mr. Vandervoort, Mr. Mitchell and Mr. Storm.

A petition of Daniel Miller, David Warner and George Warner, praying a grant of vacant land, lying in the county of Schoharie, was read, and referred to Mr. Rice, Mr. Tyler and Mr. Henry.

Mr. P. I. Schuyler reported, that purſuant to the order of the Houſe, Mr. I. Smith and himſelf had attended before the Hon. John Sloſs Hobart, one of the commiſſioners appointed to adminiſter oaths, with Mr. Barker, Mr. Holley and Mr. Fonda, and had ſeen them duly qualified, by taking and ſubſcribing the oaths by law preſcribed.

Ordered, That the ſaid members ſo qualified, do take their ſeats.

A report of the Comptroller on the petition of Ebenezer Mott, referred to him by the Hon. the Houſe of Aſſembly, at the laſt ſeſſion of the Legiſlature, was read, and is in the words following, viz.

To the Honorable the LEGISLATURE *of the State of* NEW-YORK.

IN purſuance of the order of the Honorable Houſe of Aſſembly, of the 17th of March laſt, the Comptroller has examined the bill for the relief of Ebenezer Mott, and the petition and papers accompanying the ſame: *And thereupon Reports*, That on the 13th Day of May, 1782, John Lock was muſtered to ſerve for Increaſe Jackſon's Claſs, as appears by a certificate of that date, given by Gilbert I. Livingſton, who was appointed to receive, and muſter ſuch men as ſhould be engaged by the claſſes in General Swartwout's brigade, to ſerve in either of the three regiments of this State, in the ſervice of the United States, or in the corps to be raiſed for the defence of this State, on bounties of unappropriated lands. And on the 4th day of June, 1782, Alexander Clinton, lieutenant and recruiting officer of the ſecond regiment of artillery, gave a certificate that he had muſtered and received that day into the ſecond regiment of artillery, commanded by Col. John Lamb, John Lock, a good able bodied man, inliſted by Capt. Thomas Machin, to ſerve in the ſaid ſecond regiment. Lock ſerved during the war, and has received the bounty land promiſed by the State to the ſoldiers of the line of the army. Machin, in conſequence of the certificate of Lieutenant Clinton, has procured a patent for 600 acres of land as a bounty for enliſting Lock.—Jackſon's claſs, by a writing dated the firſt day of January, 1788, for the conſideration of four pounds, conveyed to the petitioner their right to the bounty land for inliſting Lock, aſſerting it to be 600 acres. And the petitioner thereupon applied for a grant of it; but the Surveyor-General refuſed his

location, becauſe Machin had before obtained a patent for the bounty land for inliſting Lock; and the petitioner's application to the Legiſlature is for relief.

The laws, for raiſing troops on bounties of unappropriated lands, require that the perſon claiming the bounty for inliſting a man, ſhould have a certificate of the delivery of ſuch man, from the perſon appointed by the Governor for that purpoſe; but Lieutenant Clinton was not the perſon appointed for that purpoſe; and therefore it is doubted whether his certificate was ſufficient to warrant the grant to Machin.

The vouchers produced by the petitioner, reſpecting the inliſtment of Lock, do not agree with each other. Jackſon, the head of the claſs, ſays in his affidavit, that *he* hired Lock for the claſs. James Ingerſoll, in his affidavit, ſays that *he* engaged Lock as a hired man for Increaſe Jackſon's claſs, and did give him to the amount of £. 20 and upwards, as a bounty. Abiel Pettey, a ſerjeant in Lamb's regiment, certified, the 12th of May, 1782, that *he* inliſted Lock in the ſecond regiment of artillery, commanded by John Lamb, he having engaged for during the war, for Jackſon's claſs; and Lieutenant Clinton certified, that Lock was inliſted by Machin. It ſeems to be therefore uncertain by whom he was inliſted. From Mr. Livingſton's certificate, it appears that Lock was muſtered for Jackſon's claſs; but it does not mention by whom, nor into what regiment he was inliſted.

By the ſeventh ſection of the act for raiſing two regiments for the defence of this State, on bounties of unappropriated lands, paſſed the 20th of March, 1781, every perſon who claims the bounty for engaging an able bodied man to enter into either of thoſe regiments, muſt have a transfer of ſuch man's right to the bounty lands; and the clauſes of the act, paſſed the 23d of March, 1782, under which Machin obtained his patent, and the petitioner now claims, expreſsly refer to the 7th ſection of the act of the 20th March, 1781; it may therefore be doubted whether either of them were entitled to the bounty, without ſuch transfer. There is not any evidence that the claſs engaged Lock to ſerve in either of the three regiments then ſerving in the army of the United States, without which they could not be entitled to the bounty of ſix hundred acres of land; but every claſs which delivered a man within the time limited, by the act of 1782, was thereby entitled to a bounty of two hundred acres of land: The Comptroller is therefore of opinion, that it would be proper to grant the petitioner relief ſo far as to enable him to locate the quantity of two hundred acres, in any of the unappropriated lands of this State.

All which is reſpectfully ſubmitted.

SAMUEL JONES, *Comptroller.*

New-York, 29th July, 1797.

Ordered, That the ſaid report and papers accompanying the ſame, be referred to Mr. Fonda, Mr. Ten Broeck and Mr. Ogden.

A report of the Comptroller on the petition of Henry Merſelis, referred to him by the Hon. the Houſe of Aſſembly, at the laſt ſeſſion of the Legiſlature, was read, and is in the words following, viz.

To the Honorable the LEGISLATURE *of the State of* NEW-YORK.

THE Comptroller, in purſuance of the order of the Honorable Houſe of Aſſembly, of the 17th day of March laſt, referring to him the petition of Henry Merſelis, *Reports*, That the petitioner ſtates, that in the year 1776, he ſerved as a captain, in Colonel Van Dycke's regiment of this State, in the ſervice of the United States—That in June, 1777, he was appointed aſſiſtant-commiſſary in the hoſpital department, by Jonathan Potts, Eſquire, and ſerved therein until he was appointed a commiſſary of the hoſpital, at Schenectady, in which ſervice he continued until the hoſpital there was diſſolved or broken up—That unfortunately the petitioner was diſcharged from the hoſpital department previous to the time that Congreſs granted to the officers of that department, the depreciation of their pay—That the petitioner was alſo appointed aſſiſtant commiſſary of forage, in the quarter-maſter's department, by Colonel Lewis, from which he was diſcharged in the ſpring of the year 1780; and in the fall of the ſame year, he was appointed deputy-waggon-maſter, by Colonel Hughes, in which capacity he ſerved until 1783—That for all theſe ſervices he received no compenſation, except Continental money and certificates, which certificates he was obliged to diſpoſe of at the low rate of three ſhillings, and three ſhillings and four-pence in the pound, to ſupport himſelf and his family; and he therefore prays relief.

From this ſtatement, and the documents accompanying his petition, it appears that the petitioner was in the ſervice and pay of the United States; and, conſequently, all applications for compenſation or relief, on account of thoſe ſervices, ſhould be made to Congreſs.

All which is reſpectfully ſubmitted.

SAMUEL JONES, *Comptroller.*

New-York, 26th July, 1797.

Reſolved, That the Houſe do approve of the ſaid report.

A report of the Comptroller, on the Petition of Elkanah Briggs, referred to him by the Hon. the Houſe of Aſſembly, at the laſt ſeſſion of the Legiſlature, was read, and is in the words following, viz.

To the Honorable the LEGISLATURE *of the State of* NEW-YORK.

THE Comptroller, in purſuance of the order of the Hon. Houſe of Aſſembly, of the 24th day of March laſt, referring to him the petition of Elkanah Briggs, *Reports*, That the petitioner ſtates in his petition, that for ſome years previous to, and ever ſince the year 1777, he reſided in the town of Pawling, in Dutcheſs county—That about the firſt of March, in that year, he had occaſion to go to Shaftſbury, in the State of Vermont, and while there, he and one Agrippa Martin, both had the ſmall-pox; and Martin in ſo ſevere a manner, that the petitioner, from motives of humanity, was induced to remain with him, until the termination of his diſorder; when the petitioner, about the firſt of May, 1777, returned home to his own houſe in Pawling, where to his great ſurprize and mortification, he found that the commiſſioners of ſequeſtration for the county of Dutcheſs, had taken his perſonal property, and ſold it as the property of one who was with the enemies of the United States of America—That he never had the leaſt intention of joining the enemies of the United States, and conſiders his caſe as extremely hard, that his property ſhould be thus taken from him, and put into the Treaſury of the State, without any offence againſt the laws of the ſame, without proceſs, trial or judgment againſt him: And he therefore prays, that the Legiſlature will grant him ſuch relief as from the juſtice of his caſe, he ſuppoſes, as a citizen of the State, and well attached to its preſent government, he has a right to expect.

The petition is accompanied with the affidavits of Maſha Martin, Parker Cole, and Nathan Spalding—Martin and Cole ſay, that in March, 1777, they lived in Shaftſbury, in the county of Bennington, and State of Vermont, and that Agrippa Martin, and the petitioner, came there from Pawling's town, in the State of New-York, and both had the ſmall-pox during their ſtay in Shaftſbury; and about the latter end of May, in the ſame year, the petitioner went home as they underſtood, and ſome time in June following Martin went home—And Spalding ſays, that about the laſt of May, or firſt of June, 1777, he ſaw the petitioner frequently at his own houſe, and toward the laſt of June, or firſt of July, in the ſame year, he frequently ſaw Agrippa Martin, of Pawling town, at his own houſe in ſaid town.

Upon this caſe the Comptroller begs leave to obſerve, that the Commiſſioners of Sequeſtration, in ſeveral of the counties of this State, during the late war between the king of Great-Britain and the United States, ſeized and ſold perſonal property to the amount of many thouſand pounds. In the courſe of theſe proceedings ſome irregularities may have happened—The Legiſlature at their ſeſſion in October, 1779, appointed two ſeveral joint committees, to enquire into the conduct of the commiſſioners; and by an act paſſed the 21ſt of October, 1779, it was enacted, that no ſuit or action ſhould be brought againſt them before the firſt of January, 1781, for any thing done by them as commiſſioners. By an act paſſed the 12th of May, 1784, the powers of the commiſſioners of ſequeſtration are repealed, and the monies ariſen from the ſales of ſequeſtered property, declared to belong to the people of this State. This act declares, that the commiſſioners ſhall be accountable for the due execution of their reſpective offices—But by the 26th ſection of an act paſſed the 29th of November, 1784, it is provided, that it ſhall not be lawful, for any perſon or perſons, to ſue or proſecute the ſaid commiſſioners of ſequeſtration or any of them, for any act or acts which they or any of them have done in or about the execution of the truſt repoſed in them. The petitioner, if he had cauſe, might have brought his ſuit againſt the commiſſioners at any time between the firſt of January, 1781, and the 29th of No-

vember, 1784. Some ſuits were brought and recoveries had againſt the commiſſioners, and the State in ſuch caſes indemnified them by payment of the damages and coſts. From the accounts of ſales of ſequeſtered property rendered by the commiſſioners for Dutcheſs county, it appears that previous to the 10th of June, 1780, they ſold the goods of different perſons, to the amount of fifty two thouſand pounds, and upwards; among which was the property of Agrippa Martin, ſold the 20th day of May, 1777, amounting to £. 103 7 0, and the property of the petitioner, ſold the 21ſt of May, 1777, amounting to £. 62 2 0.—It does not appear upon what evidence the commiſſioners proceeded in any of thoſe caſes; and it is not perhaps to be expected, that even where they had good ground for their proceeding, ſufficient evidence of it can be produced at this day.

How far it may be expedient to grant relief in ſuch caſes, after ſuch a length of time, muſt be left to the wiſdom of the Legiſlature.

All which is reſpectfully ſubmitted.

SAMUEL JONES, *Comptroller.*

Albany, 14th November, 1797.

Ordered, That the ſaid report, together with the papers accompanying the ſame, be referred to Mr. Wood, Mr. Pearſall, and Mr. Bowman.

A report of the Comptroller on the petition of Matthew Dubois, referred to him by the Hon. the Houſe of Aſſembly, at the laſt ſeſſion of the Legiſlature, was read, and is in the words following, viz.

To the Honorable the LEGISLATURE *of the State of* NEW-YORK.

IN purſuance of the order of the Honorable Houſe of Aſſembly, of the 27th day of March laſt, the Comptroller has examined the petition of Matthew Dubois, and the papers accompanying the ſame: *And thereupon Reports*, That the petitioner was an Aſſiſtant State Agent or Deputy under Udney Hay, and by his petition complains, that he has not received any adequate compenſation for his ſervices; and prays the Legiſlature would take his peculiar ſituation under their conſideration, and direct the ſame compenſation to be made to him, which was granted to others in ſimilar ſituations.

The petitioner's accounts were ſettled by the Auditor, on the 6th day of May, 1785, when there appeared to be a balance of £. 114 16 0 due to him, on account of his purchaſes and contingent expences, and the further ſum of £. 394 16 0 for his ſervices. By the act authorizing the Auditor to audit certain accounts and claims, and for other purpoſes therein mentioned, paſſed the 22d of April, 1785, certificates were to be given by the Treaſurer, for all balances that might be found due to any of the State agent's deputies; but in the petitioner's caſe, the Auditor, by the direction of the committee appointed by law to adviſe and inſtruct him, directed the Treaſurer to pay the balance of £. 114 16 0 in money; and the Treaſurer, on the 26th of September, 1785, accordingly paid it to the petitioner, and offered him a certificate for the ſum due to him for his ſervices, which he declined accepting, inſiſting that the whole ought to be paid in money. He afterwards applied to the Legiſlature for relief; and by an act paſſed the 22d day of March, 1788, the Treaſurer was directed to iſſue to him a certificate for one third of the amount, which certificate ſhould be received in payment of any ſpecie tax due in the county of Ulſter, and a certificate in the uſual form for the balance. The petitioner accordingly received ſuch certificates, and it was then ſuppoſed that his accounts were fully and finally ſettled. But in the year 1790, he exhibited a claim to the commiſſioners appointed to receive and examine accounts and claims againſt the State, ſtating that he had been obliged to ſell the certificate given to him for the balance due for his ſervices, at four ſhillings in the pound, and that the loſs ſuſtained thereby, together with the intereſt thereon, and his travelling expences, not allowed by the Auditor, amounted to £. 641 6 0. He has ſince, as he ſtates in his petition, made repeated repreſentations to the Legiſlature for further relief; and in addition to his former claim he has inſerted in the account accompanying his petition, a charge for an aſſiſtant, amounting with intereſt to £. 304 16 0, and makes the whole amount of his preſent claim, according to his computation, £. 1297 8 6.—The charges for travelling expences, and for an aſſiſtant, are not warranted by law, nor have any ſuch charges been allowed to any of the

deputies of the State agent, to the knowledge or belief of the Comptroller. The certificate which the petitioner ſays he ſold for four ſhillings in the pound, was given to him on account of his wages; and if the State ſhould make up the loſs upon the ſale of it, every perſon who has received the like certificates, for ſervices performed, or ſupplies furniſhed, during the late war, and ſold them at a loſs, will have the like claim. The conſequences of ſuch a precedent will be readily conceived.

The accounts of the petitioner, and all others in his ſituation, were ſettled upon the ſame principles. The granting him a certificate which was equal to ſpecie, for one third of his wages, was an advantage, which few if any others obtained: And as he has already received the like compenſation as was granted to any others, in ſimilar ſituations, the Comptroller is of opinion, that he is not entitled to any further compenſation from this State.

All which is reſpectfully ſubmitted.

SAMUEL JONES, *Comptroller.*

New-York, 12th Auguſt, 1797.

Reſolved, That the Houſe do approve of the ſaid report.

A report of the Comptroller, on the bill for the relief of James Dunlap, referred to him by the Hon. the Houſe of Aſſembly, at the laſt ſeſſion of the Legiſlature, was read, and is in the words following, viz.

To the Honorable the LEGISLATURE *of the State of* NEW-YORK.

THE Comptroller, in purſuance of the reſolution of the Honorable Houſe of Aſſembly, of the 31ſt of March laſt, referring to him the bill for the relief of James Dunlap, together with the documents accompanying it, *Reports*, That he has examined the petition and papers delivered to him, from which it appears that the petitioner was a ſoldier in the regiment of artillery, commanded by Colonel John Lamb—That he has been placed on the penſion liſt, and that the Commiſſioners of the Land-Office have refuſed to grant him any bounty land, becauſe his name was not entered in the General Return; and he prays the Legiſlature to enable him to obtain the bounty they generouſly granted to his fellow ſoldiers.

The papers produced do not ſhew the time when, or the terms upon which the petitioner inliſted, nor when he was diſcharged; but by a copy of his diſcharge remaining in this office, it appears that he was at his own requeſt diſcharged on the 10th day of April, 1783, as unfit for any further duty, either in the field or garriſon, being blind; and the commander in chief thereby certified, that he was entitled to the proviſion made by Congreſs in ſuch caſes, by their reſolution of the 23d day of April, 1782. In conſequence of this certificate, he became entitled to a penſion of five dollars a month, which was paid to him by the Treaſurer of this State, from the date of his diſcharge to the firſt day January, 1789, from which period the payments to invalids have been made by the United States.

The petitioner having been diſcharged on the 10th of April, 1783, his name could not be included in the return of the army, when the general diſcharge took place, as he did not then belong to it. The reſolution of Congreſs inſtructing the commander in chief to grant furloughs to the army, is dated the 26th of May, 1783, more than ſix weeks after the petitioner was diſcharged.

The proviſion, of which the petitioner availed himſelf, was limited to ſuch ſoldiers as ſhould apply for a diſcharge in preference to being placed, or continued in the corps of invalids, and is declared to be in lieu of all pay and emoluments. Under the circumſtances of this caſe, the Comptroller is of opinion, that the petitioner is not entitled to any bounty land.

All which is reſpectfully ſubmitted.

SAMUEL JONES, *Comptroller.*

New-York, 15th Auguſt, 1797.

Reſolved, That the Houſe do approve of the ſaid report.

A report of the Comptroller, on the petition of Thomas M'Kinſtry, referred to him by the Hon. the Houſe of Aſſembly, at the laſt ſeſſion of the Legiſlature, was read, and is in the words following, viz.

To the Honorable the LEGISLATURE *of the State of* NEW-YORK.

IN purſuance of the reſolution of the Honorable Houſe of Aſſembly, of the 31ſt day of March laſt, the Comptroller has examined the petition of Thomas M'Kinſtry, and the vouchers accompanying the ſame: *And thereupon Reports*, That the petitioner ſtates in his petition, that during a part of the late war, he ſerved as a captain in the regiment of levies, commanded by Colonel Malcom—That from the expiration of the period for which the levies were to ſerve, being the firſt of November, 1780, to the 15th of December following, he was employed in ſome ſpecial ſervice, for which he has received no compenſation; and he therefore prays, that the Legiſlature will grant him pay as a captain, during the period of ſuch extraordinary ſervices.

The following papers are produced by the petitioner to ſupport his claim:

1. A certificate from the late Governor Clinton, dated the 27th of March, 1792, ſetting forth, that the time for which the levies commanded by Col. Malcom were raiſed, having expired on the firſt day of November, 1780, he, Governor Clinton, requeſted the petitioner to continue in ſervice with ſuch of the levies as he could re-engage, and to take poſt at Fort Herkemer, until he ſhould be relieved by other troops; and to receive orders from the commanding officer of the continental army in the northern department; and that he had reaſon to believe, that he, the petitioner, performed this ſervice without having received any compenſation for the ſame.

2. A letter from General James Clinton, dated at Albany, the 28th November, 1780, and directed to "Captain M'Kinſtry, on his way to Fort-Schuyler, with cattle;" by which it appears, that the petitioner was then in the public ſervice.

3. A certificate from the late Auditor, dated the 27th March, 1792, that it appeared from his books, that Captain M'Kinſtry drew pay from the 1ſt of July, to the 30th of of October, 1780, and no longer.

The petitioner in his account, which is dated the 29th of March, 1792, charges this State, in behalf of the United States, with his pay and rations, commencing the firſt of November, and ending the 16th of December, 1780.

Upon this caſe, the Comptroller begs leave to remark, that by an act of the Legiſlature of this State, paſſed the 27th of April, 1784, the Auditor and Treaſurer were authorized to ſettle the accounts of the levies and militia of this State, who had been called into actual ſervice, during the late war, and to whom payment had not been made. In conſequence of that act, the Auditor, on the 19th of Auguſt, 1784, ſettled the account of Malcom's regiment, as appears by an entry in his books, a copy of which is annexed; and the Treaſurer iſſued certificates for the amount, which has been charged to the United States. It appears from documents in this office, that the Colonel, on the 31ſt of Auguſt, 1780, received from Governor Clinton, 14,363 dollars, for the uſe of himſelf and the officers of his brigade, and for which he was to be accountable. No credit is given for this ſum in the ſettlement, nor does it appear to have been accounted for to this State; but the Auditor charged it to the United States, and delivered the receipt to the commiſſioners for ſettling the accounts between the United States and individual States. From the nature of the ſervices ſtated by the petitioner, the United States were bound to make him compenſation. Payments by this State, in ſuch caſes, were always of favor, and not of right; and the ſums paid were charged to the United States. While the State had a right to do this, it ſuffered no loſs by the payment; but the State can have no credit with the United States for any ſuch payments made after the firſt of October, 1788; the time allowed for exhibiting ſuch charges having expired at that period. Beſides, to open accounts after they have been ſo long ſettled, would probably involve the State in many difficulties, and be productive of much miſchief.

The Comptroller is therefore of opinion, that as the petitioner has no legal demand againſt this State, it would not be proper to grant the prayer of his petition; and that if he has any unſatisfied claim for his ſervices, he ought to apply to Congreſs for compenſation.

All which is reſpectfully ſubmitted.

SAMUEL JONES, *Comptroller.*

New-York, 29th July, 1797.

A Regimental Abſtract of the Firſt Regiment of New-York Levies, in the Service of the United States, Commanded by Colonel William Malcom.

Names and Rank.	Commencing	Ending	Time. Months.	Time. Days.	Dollars per Month.	Rations. No. of	Rations. Price	Amount of Rations.			Amount of Pay and Rations.		
	1780	1781											
William Malcom, Colonel	July 1	Feb. 13	7	13	75	1115	10d	46	9	2	269	9	2
		1780											
Elias V. Benſchoten, Major	1	Oct. 30	4		50	360		15			95		
Joſeph Haasbrouck, Adjutant	1	30	4		13						20	16	
Alexander Stewart, Qr. Maſter	1	Nov. 30	5		13	150		6	5		32	5	
—— Oſburn, Surgeon Mate	1	Oct. 30	4		40	120		5			69		
											486	10	2
Amount of Capt. Cantine's	2	Pay-Rolls, No. 1,									451	9	4
M'Inſtry		Do.	2,								777	2	3
Lieut. Requaw's	2	Do.	3,								357	15	2
Capt. Blakeſly's	2	Do.	4,								438	0	3
Drake's	2	Do.	5,								572	18	11
Livingſton's	2	Do.	6,								480	12	0
Delavan's		Do.									505	13	0
											£. 4070	1	1

Audited, 19th Auguſt, 1784.

Reſolved, That the Houſe do approve of the ſaid report.

A report of the Comptroller, on the petition of John Joyce, referred to him by the Hon. the Houſe of Aſſembly, at the laſt ſeſſion of the Legiſlature, was read, and is in the words following, viz.

To the Honorable the LEGISLATURE *of the State of* NEW-YORK.

IN purſuance of the reſolution of the Hon. Houſe of Aſſembly, of the 31ſt day of March laſt, the Comptroller has examined the petition of John Joyce, and the vouchers accompanying the ſame: *And thereupon reports*, That the petitioner ſtates in his petition, that in the year 1775 he left Ireland, and came to this State with his family, and on the authority of John Melott, took poſſeſſion of a lot of land, then belonging to James Jauncey, at a place called Melott's Buſh, on the ſouth ſide of the Mohawk River, cleared ſome of the land, built a houſe, barn and ſtable, dug a well and planted an orchard, and lived on it about five years, when he was obliged to leave it, and went to the Mohawk River and worked at his trade to provide for his family, but expected to return and enjoy it again: That during the late war, Iſaac De Graaf located on the lot and purchaſed it of the commiſſioners of forfeitures for the weſtern diſtrict, at an appraiſement; and the improvements were appraiſed at £. 22. The Petitioner therefore claims that ſum with intereſt from the State.

It appears by the certificate and affidavit of Iſaac de Graaf, that he located on the lot as forfeited by the attainder of James Jauncey, and obtained a conveyance of it from the commiſſioners of forfeitures for the weſtern diſtrict, dated the 28th of June, 1783, and that the improvements were valued at £. 22. which he paid to the commiſſioners.

The laws for the ſale of forfeited lands contained proviſions in favour of tenants who had made improvements. Theſe proviſions not being founded on any right the tenants had by law, but being merely gratuitous on the part of the State, were limited to certain characters. It is not ſtated, nor does it in any manner appear, that the petitioner ever obtained ſuch certificate as the law required to entitle him to the benefit of thoſe proviſions, and whether he was one of the characters in whoſe favour they were made, or not, cannot be determined from any documents accompanying his petition. But in either caſe, he has no right to compenſation from the State: for he had no claim excluſive of the proviſions in favonr of tenants, in the acts of the Legiſlature for the ſale of forfeited eſtates, and he could have no claim in conſequence of thoſe acts, without complying with what they required. The Comptroller is there-

fore of opinion, that it would be improper for the Legiſlature to give the petitioner any compenſation.

All which is reſpectfully ſubmitted.

SAMUEL JONES, *Comptroller.*

Albany, 14th November, 1797.

Reſolved, That the Houſe do approve of the ſaid report.

A report of the Comptroller, on the Petition of Amos Scofield, referred to him by the Hon. the Houſe of Aſſembly, at the laſt ſeſſion of the Legiſlature, was read, and is in the words following, viz.

To the Honorable the LEGISLATURE *of the State of* NEW-YORK.

IN purſuance of the order of the Honorable Houſe of Aſſembly, of the firſt day of April laſt, the Comptroller has examined the petition of Amos Scofield, and the vouchers accompanying the ſame: *And thereupon reports*, That the petition is in the name of Amos Scofield, and alſo in the names of Ebenezer Scofield, Enoch Miller, Annanias Weſtcot, Sylvanus Reynolds, Richard Sackett, Michael Scofield and Abraham Weſtcot, and ſtates—That during the late war between the United States and Great-Britain, the petitioners by virtue of an order iſſued by the committee of the county of Weſt-Cheſter, were impreſſed to go with their teams near the lines of the the Britiſh troops, to procure forage for the army, then ſtationed on the lines, and while they were in the ſaid ſervice, they were attacked by a party of the Britiſh troops at Eaſt-Cheſter, and ſeveral of them made priſoners, and their teams and carts ſo impreſſed, were taken by the ſaid party of Britiſh troops; and the petitioners requeſt the Legiſlature to grant them ſuch compenſation for their ſeveral loſſes, as by the documents annexed, may appear juſt and equitable.

The vouchers accompanying the petition conſiſt of copies of the orders for impreſſing teams, receipts for teams, accounts of the owners, and affidavits to prove the loſs and value of the property. From theſe documents it appears, that two pair of oxen, an iron bound cart with ſhelvins, two ox yokes, and a chain, belonging to Amos Scofield, valued at £. 47 16 0; two pair of oxen, and an iron bound cart with ſhelvins, two ox yokes and a chain, belonging to Ebenezer and Michael Scofield, valued at £. 47 18 0; one yoke of oxen, and an ox yoke and chain, belonging to Enoch Miller, valued at £. 21 4 0; one pair of oxen, two horſes, one cart, one ox yoke, and two pair of geers, belonging to Richard Sackett, valued at £. 62 10 0; one pair of oxen, and one iron bound cart, belonging to Abraham Weſtcot, valued, with the chain, &c. at £. 33; and one pair of oxen, and one ox yoke and chain, belonging to Sylvanus Reynolds, valued at £. 20, which had been impreſſed to collect forage for the Continental army, were taken by the enemy on the 16th of March, 1777, at Eaſt-Cheſter, and Annanias Weſtcot made priſoner. Reynolds alſo charges £. 30 for a ſpan of horſes impreſſed by an officer to cart proviſions for the Continental army, and loſt at Peeks-Kill, in December, 1776.

It appears from accounts in this office, that the Auditor, on the 25th of March, 1786, ſettled the account of Annanias Weſtcot, for his pay during his captivity; and the Treaſurer iſſued a certificate for the amount, which has been charged to the United States.

The property, for which the other petitioners claim compenſation, having been loſt in the ſervice of the United States, the owners ſhould have applied to the Continental Commiſſioner for the ſettlement of their accounts for thoſe loſſes. Payments by the State, in ſuch caſes, were always on account of, and conſequently charged to, the the United States. While the State had a right to make the charge, no loſs was ſuſtained by the payment: But this right ceaſed on the firſt of October, 1788, and the State can have no credit with the United States for any ſums paid after that day. Beſides the State is not poſſeſſed of any documents, from which it can be aſcertained whether the accounts have not been examined or ſettled by the officers, who have been appointed by Congreſs for the purpoſe. The Comptroller is therefore of opinion, that it would be improper to comply with the requeſt of the petitioners.

All which is reſpectfully ſubmitted.

New-York, 15th Auguſt, 1797. SAMUEL JONES, *Comptroller.*

Reſolved, That the Houſe do approve of the ſaid report.

A report of the Comptroller on the petition of Mary Black, referred to him by the Hon. the Houſe of Aſſembly, at the laſt ſeſſion of the Legiſlature, was read, and is in the words following, viz.

To the Honorable the LEGISLATURE *of the State of* NEW-YORK.

IN purſuance of the order of the Honorable Houſe of Aſſembly, of the firſt day of April laſt, the Comptroller has examined the petition of Mary Black, and the vouchers accompanying the ſame: *And thereupon Reports*, That by an ordinance of Congreſs of the 23d day of March, 1779, for regulating the cloathing department for the armies of the United States, it was provided—that a Sub or State cloathier ſhould be appointed by each State reſpectively; and on the firſt day of April in the ſame year, Congreſs reſolved, that each State ſhould determine and pay the ſalary proper for its cloathier, and that each State cloathier ſhould be allowed two rations and forage for one horſe per day, during the time he ſhould be in actual ſervice with the army, and going to and returning from the ſame. In compliance with the recommendations contained in the ſaid ordinance and reſolution of Congreſs, the Legiſlature of this State, by an act paſſed the 23d day of September, 1779, directed the Governor of this State, by and with the advice and conſent of the Council of Appointment, to appoint and commiſſion a State cloathier for this State; and thereby directed that there ſhould be allowed to ſuch State cloathier, out of the Treaſury of this State, as and for a ſalary, at and after the rate of £. 65 per month, agreeable to ſuch account of the time he ſhould ſerve in the ſaid office, as he ſhould from time to time, produce audited by the Auditor-General of this State.

In purſuance of the ſaid reſolutions of Congreſs, and act of this State, James Black, the petitioner's late huſband, was on the 26th day of October, 1779, conſtituted and appointed Sub or State cloathier for the troops in the ſaid army, raiſed under the direction of this State.

By an act of the Legiſlature of this State, paſſed the firſt day of July, 1780, the clauſe in the former act granting to the State cloathier his ſalary, was repealed and inſtead thereof it was thereby enacted that there ſhould be allowed, and the Treaſurer was thereby authorized and required to pay, to the State cloathier for this State, for his ſervices in that ſtation from the day of his acceptance of the ſaid office, until the Legiſlature ſhould make further proviſion, at and after the rate of thirty dollars per month, and alſo his travelling expences while in the execution of his ſaid office, and other incidental charges, agreeable to ſuch accounts as he ſhould produce of ſuch monthly pay, and ſuch travelling expences and incidental charges audited by the Auditor-General of this State.

On the 18th day of June, 1781, Congreſs reſolved, That all State purchaſes of cloathing on continental account, and all State appointments, and regulations in the cloathing department on continental account be aboliſhed on the firſt day of September, at or before which time, the Sub and Agent cloathier, ſhould deliver to the Cloathier-General, or his order, all cloathing procured at Continental expence.

By an act of the Legiſlature of this State, paſſed the firſt dav of July, 1781, the Treaſurer was authorized to pay to the State cloathier of this State, £. 200, in new emiſſion bills of credit on account. In conſequence of this act, the Treaſurer on the 12th of July, in the ſame year paid Black £. 80 in part of the £. 200.—He has not received any other ſum out of the treaſury. But the late Auditor has charged him with the further ſum of £. 1221 8 0 in continental money as received of John Roorback.

By the 31ſt ſection of the act for the payment of the ſalaries of the ſeveral officers of government, and of certain contingent expences, and for other purpoſes therein mentioned, paſſed the 12th of May, 1784, Black was directed to cauſe to be ſold by public vendue, ſuch articles of cloathing as might remain in his poſſeſſion, belonging to the State, and to account with the Auditor for the amount thereof in his account with the State.

It does not appear that Black ever had any account of his ſalary or expences audited, or in any manner ſettled his account, with this State or the United States.—The petitioner is his widow, and being left with four ſmall children without any ſupport, as ſhe aſſerts, except what God and good friends are pleaſed to beſtow, prays the

Legiſlature will make proviſion for payment of the balance of an account for his ſalary and expences delivered by him to the Auditor.

The account mentioned by the petitioner, appears to have been received by the Auditor on the 31ſt of December, 1790, but Black being charged with conſiderable quantities of different kinds of cloathing for which he had not accounted, the Auditor, inſtead of ſettling the account, ſent it to the commiſſioners appointed to ſettle the accounts between the United States and individual States, and charged the amount to the United States; and made the following indorſement on a copy remaining in his office; "The Auditor is to ſettle this account after he is ſatisfied that captain Black has accounted with Col. Walker, for the cloathing delivered him, by P. T. Curtenius."

There is not any evidence that Black ever accounted for the cloathing, and as the charge againſt the United States does not appear to have been accompanied with any vouchers, there is no reaſon to believe it was allowed.

The office of Sub or State cloathier muſt have expired the firſt of September, 1781, and yet his ſalary is computed in the account exhibited to the firſt of May, 1782, for which no reaſon is given; and it is to be obſerved, that there are no vouchers with the petition for any of the expences charged in the account; but there are three remaining in the Auditor's office, with the copy of the account; one is a receipt for £. 19 4 0 for tranſporting cloathing from Newburgh and Poughkeepſie to Albany, in July, 1781. This article is charged in the account at £. 38 8 0; the others are receipts for cooperage, freight and cartage of ſhoes and ſtockings, in July, 1784, and clearly ſhew that Black had then in his poſſeſſion eleven barrels of thoſe articles. There is credit given in the account for ſome ſhoes and ſtockings ſold, but the quantity is not mentioned, nor any account of ſales produced.

Under all the circumſtances of the caſe, the Comptroller is of opinion, that it would be improper to grant the prayer of the petition.

All which is reſpectfully ſubmitted

SAMUEL JONES, *Comptroller.*

New-York, 5th Auguſt, 1797.

Ordered, That the conſideration of the ſaid report be poſtponed until to-morrow.

A report of the Comptroller on the petition of William Miller, referred to him by the Hon. the Houſe of Aſſembly, at the laſt ſeſſion of the Legiſlature, was read, and is in the words following, viz.

To the Honorable the LEGISLATURE *of the State of* NEW-YORK.

IN purſuance of the order of the Honorable Houſe of Aſſembly, of the firſt day of April laſt, the Comptroller has examined the petition of William Miller, and the vouchers accompanying the ſame: *And thereupon Reports*, that the petitioner in the fall of the year 1776, and in January, 1777, advanced money to ſome of the militia of the county of Weſt-cheſter, for their pay—That in March, 1777, he was taken priſoner, and carried to New-York—That in September, 1778, he produced to the then Auditor-General of this State, as appears by his certificate, pay-rolls and abſtracts, for monies he had ſo paid, amounting to £. 874 7 6 1-2—That four of the pay-rolls, amounting to £. 101 16 11 1-2 being not properly made out, were returned to him by the Auditor, with a requeſt that he would have them properly done, and an aſſurance that the amount would then be allowed—That the other pay-rolls, amounting to £. 772 10 7 were allowed by the Auditor, and the petitioner received the amount from the Treaſurer on the 17th of September, 1778—That the ſaid four pay-rolls were never afterwards delivered to the Auditor, nor ſettled—That by an act, paſſed the 27th of April, 1785, the petitioner was allowed the ſum of £. 100 as a full compenſation for his pay and ſufferings, during his confinement as a priſoner among the enemy at the city of New-York, in the courſe of the late war; and the priſoner's preſent claim is for the amount of the four pay-rolls which were returned to him.

From this ſtate of facts it appears, that the amount of the four pay-rolls returned to the petitioner would have been allowed and paid, if the rolls and abſtracts had been properly made out and produced to the Auditor, and no reaſon is aſſigned why this was not done.

By an act, paſſed the 27th of April, 1784, for the ſettlement of the pay of the levies and militia for their ſervices in the late war, and for other purpoſes therein men-

tioned, competent powers and particular directions were given to the Treaſurer and Auditor of this State, for the liquidation and ſettlement of thoſe accounts. This act continued in force until the 21ſt of April, 1787, and during its continuance claims for pay of the militia to a large amount were liquidated and paid. The petitioners' claim might have been ſettled under that act while it was in force, upon producing the proper vouchers to the Auditor, and the amount would then have been charged to the United States.

It is proper to remark, that there is not any voucher produced, ſhewing the amount of the advances made by the petitioner, other than the certificate of the late Auditor-General, that the pay-rolls and abſtracts amounted to £874 7 6 1-2, and as thoſe for the amount of which the preſent claim is made, were returned to the petitioner, and are not in the poſſeſſion of the proper officer, it follows, that if the State pays the amount to the petitinoer, it would be without any voucher, which would be of dangerous conſequence.

Under all the circumſtances of this caſe, the Comptroller is of opinion, that it would not be proper, upon the evidence produced, to grant the petitioner any relief.

All which is reſpectfully ſubmitted.

Albany, 14th November, 1797. SAMUEL JONES, *Comptroller.*

Reſolved, That the Houſe do approve of the ſaid report.

A report of the Comptroller on the petition of John Cheeſman, and Rachel his wife, and others, children and heirs of Hannah Armſtrong, deceaſed, referred to him by the Hon. the Houſe of Aſſembly, at the laſt ſeſſion of the Legiſlature, was read, and is in the words following, viz.

To the Honorable the LEGISLATURE *of the State of* NEW-YORK.

IN purſuance of the order of the Honorable Houſe of Aſſembly, of the third day of April laſt, the Comptroller has examined the petition of John Cheeſman, and Rachel his wife, and others, and the vouchers accompanying the ſame: *And thereupon Reports*, That the petitioners, Rachel Cheeſman, John Armſtrong, jun. and William Armſtrong, are the children and heirs of Hannah Armſtrong, deceaſed, who was one of the daughters of James Lamb and Rachel his wife, late of Haverſtraw, in the county of Orange—That the ſaid Hannah Armſtrong was in her lifetime entitled in her own right to a parcel of wood land near Stony-Point, in Orange county—That during the late war, John Armſtrong, the huſband of the ſaid Hannah, was convicted of adhering to the enemies of the people of this State, and his eſtate thereby became forfeited—That conſiderable quantities of forage, graſs, timber, wood and other articles, were in the courſe of the war, taken for the uſe of the American army, from farms not in poſſeſſion of any perſon, in which caſes it was made the duty of the State Agent or his deputy to note in a book to be kept for the purpoſe, the quantity and value of the articles, and the name of the perſon to whom the ſame were deemed to belong—That the State Agent delivered an account of the articles ſo taken to William Barber, the Continental commiſſioner for liquidating and adjuſting accounts within this State, who gave a certificate for the amount thereof, and delivered the ſame to the Treaſurer of this State, with an account of the names of the perſons to whom the property for which the certificate given, was ſuppoſed to belong, and the value of the property belonging to each perſon reſpectively. By this account, and the documents accompanying the petition, it appears that £ 272 of the ſum mentioned in the certificate, delivered to the Treaſurer was allowed for damages done to the land of the ſaid Hannah, ſuppoſed in the ſaid account to belong to the ſaid John Armſtrong; and by an act paſſed the 5th day of May, 1786, Stephen Ward and Samuel Drake were authorized to certify to the Treaſurer, which of the perſons, or their legal repreſentatives, for whom he had received ſuch certificates as aforeſaid, appeared to them entitled to compenſation, and the Treaſurer was thereby directed to give to each perſon ſo to be certified as entitled to compenſation, his or her legal repreſentative, a certificate of equal amount to the ſum allowed by the ſaid William Barber, and bearing like intereſt from the day of the date of the certificate granted by the ſaid William Barber. Ward and Drake never gave any certificate for the ſaid £. 272—and the clauſe of the act authorizing them to give ſuch certificates, was repealed the 23d March, 1792. It is ſuggeſted that they refuſed to give any certificate in this caſe, as they ſuppoſed that the land had belonged to John Armſtrong, and was forfeited by his conviction.

Upon this ſtate of facts, the Comptroller is of opinion, that the State received the ſum allowed for damages done to the farm belonging to Hannah Armſtrong in truſt for her, and as her eſtate was never forfeited, her heirs are in equity entitled to the money. All which is reſpectfully ſubmitted.

SAMUEL JONES, *Comptroller.*

Reſolved, That the Houſe do approve of the ſaid report; and that Mr. Burr, Mr. Rice, and Mr. Heermance be a committee to prepare and bring in a bill purſuant thereto.

A copy of a reſolution of the Hon. the Senate, delivered by Mr. Addiſon and Mr. Arndt, was read, and is in the words following, viz.

Reſolved (if the Hon. the Aſſembly concur herein) That a joint committee of both Houſes of the Legiſlature be appointed for the purpoſe of conſidering and reporting upon the propriety of appointing another Printer to the State, in the ſtead of the preſent State Printer, and in caſe of ſuch concurrence, that Mr. Spencer, Mr. I. Morris, and Mr. Bronk, be of the ſaid committee, on the part of the Senate.

Reſolved, That this Houſe do concur with the Hon. the Senate in their preceding reſolution, and that Mr. Brown, Mr. Bird, Mr. Denning, Mr. Metcalfe, and Mr. Griſwold, be of the ſaid committee on the part of this Houſe.

Ordered, That Mr. Adams and Mr. Arcularius, deliver a copy of the preceding reſolution of concurrence to the Hon. the Senate.

Mr. Speaker laid before the Houſe a Communication from the Hon. Philip Schuyler, addreſſed to the Hon. the Preſident of the Senate, and the Hon. the Speaker of the Houſe of Aſſembly, which was read, and is in the words following, viz.

GENTLEMEN,

Soon after the adjournment of the Legiſlature in April laſt, I experienced ſo ſevere an indiſpoſition as rendered me incapable of attending Congreſs at its meeting in May, and altho' that indiſpoſition was ſucceeded by ulcers in my limbs of a moſt threatening aſpect, I ſtill had hopes of taking my ſeat at their preſent meeting; but a diminution of my ſight, which commenced laſt ſpring, has gradually increaſed to ſuch a privation, that I cannot read either print or writing, my own excepted, and even that not without extreme difficulty, nor do the beſt magnifing glaſſes afford me more than a very feeble aid. Under the preſſure of this diſtreſſing calamity, rendered incapable of diſcharging the important duties of the office, which the Legiſlature have been pleaſed to honor me with, I moſt reſpectfully ſolicit its permiſſion to reſign it.

You will be pleaſed, Gentlemen, to lay my requeſt before the Honorable bodies, in which you reſpectively preſide, and aſſure them, that I ſhall ever bear in moſt grateful remembrance the confidence with which I have been honored.

I have the honor to be very reſpectfully,
Your moſt obedient ſervant, &c. &c.

Ph. SCHUYLER.

Ordered, That the conſideration of the ſaid communication be poſtponed until to-morrow.

Mr. Griſwold propoſed the following reſolution:

Reſolved, That this Houſe will immediately proceed to nominate and appoint a Council of Appointment.

Mr. Wood moved, that the word "*immediately*" be ſtruck out, and the words "*Friday next*" inſerted.

The queſtion on the ſaid amendment being put, the Houſe were divided in the manner following, viz.

For the Affirmative.

Mr. Adams,	Mr. Clinton,	Mr. Hovey,	Mr. Savage,
Mr. Arcularius,	Mr. Coe,	Mr. Howard,	Mr. Skidmore,
Mr. Baldwin,	Mr. Comſtock,	Mr. Hunt,	Mr. A. Smith,
Mr. Barber,	Mr. Cornwell,	Mr. Jenkins,	Mr. Storm,
Mr. T. Barker,	Mr. De la Montagnie,	Mr. Lee,	Mr. Ten Broeck,
Mr. W. Barker,	Mr. Denning,	Mr. M'Cord,	Mr. Jeſſe Thompſon,
Mr. Boyd,	Mr. J. C. De Witt,	Mr. M'Neal,	Mr. Iſrael Thompſon,
Mr. Bruyn,	Mr. Fairlie,	Mr. Micheau,	Mr. Towner,
Mr. Burr,	Mr. Halſey,	Mr. Miller,	Mr. Vandervoort,
Mr. Bunning,	Mr. Hatfield,	Mr. Mitchell,	Mr. Voſburgh,
Mr. Burt,	Mr. J. Hogeboom,	Mr. Pearſall,	Mr. Warner,
Mr. Carman,	Mr. K. Hogeboom,	Mr. Reeve,	Mr. Wood. 52
Mr. Clark,	Mr. Holly,	Mr. Robins,	

For the Negative.

Mr. Benton,	Mr. Gray,	Mr. Metcalfe,	Mr. N. Smith,
Mr. Bird,	Mr. Gregory,	Mr. Moffet,	Mr. Snell,
Mr. Bowman,	Mr. Griſwold,	Mr. Morſe,	Mr. Teed,
Mr. Brown,	Mr. Hall,	Mr. Ogden,	Mr. Thomas,
Mr. Campbell,	Mr. Heermance,	Mr. Potter,	Mr. Joel Thompſon,
Mr. Clifft,	Mr. Henry,	Mr. Prince,	Mr. Tyler,
Mr. Coryell,	Mr. Hildrith,	Mr. Pride,	Mr. Van Alſtyne,
Mr. Deitz,	Mr. Hoag,	Mr. Rice,	Mr. Verplanck,
Mr. J. A. De Witt,	Mr. Holt,	Mr. Roſs,	Mr. Wendell,
Mr. Dewey,	Mr. Horton,	Mr. P. I. Schuyler,	Mr. Weſt,
Mr. Fonda,	Mr. Kane,	Mr. P. P. Schuyler,	Mr. Wheeler,
Mr. Fort,	Mr. Maſon,	Mr. T. Smith,	Mr. Williamſon. 51
Mr. Gettman,	Mr. M'Farlan,	Mr. J. Smith,	

Mr. Speaker gave the caſting voice in the negative.

Mr. Clinton then moved, that the words "*to-morrow at twelve o'clock*" be inſerted in the ſaid reſolution; and the queſtion being put, the Houſe were divided in the manner following, viz.

For the Affirmative.

Mr. Adams,	Mr. Coe,	Mr. Holly,	Mr. Robins,
Mr. Arcularius,	Mr. Comſtock,	Mr. Hovey,	Mr. Savage,
Mr. Baldwin,	Mr. Cornwell,	Mr. Howard,	Mr. Skidmore,
Mr. Barber,	Mr. De la Montagnie,	Mr. Hunt,	Mr. A. Smith,
Mr. T. Barker,	Mr. Denning,	Mr. Jenkins,	Mr. Storm,
Mr. Boyd,	Mr. J. C. De Witt,	Mr. Lee,	Mr. Ten Broeck,
Mr. Bruyn,	Mr. Fairlie,	Mr. M'Cord,	Mr. Iſrael Thompſon,
Mr. Burr,	Mr. Fonda,	Mr. Micheau,	Mr. Towner,
Mr. Burling,	Mr. Gregory,	Mr. Miller,	Mr. Vandervoort,
Mr. Burt,	Mr. Halſey,	Mr. Mitchell,	Mr. Voſburgh,
Mr. Carman,	Mr. Hatfield,	Mr. Pearſall,	Mr. Warner,
Mr. Clark,	Mr. J. Hogeboom,	Mr. Reeve,	Mr. Wood. 51
Mr. Clinton,	Mr. K. Hogeboom,	Mr. Rice,	

For the Negative.

Mr. W. Barker,	Mr. Gray,	Mr. Metcalfe,	Mr. Snell,
Mr. Benton,	Mr. Griſwold,	Mr. Moffet,	Mr. Teed,
Mr. Bird,	Mr. Hall,	Mr. Morſe,	Mr. Thomas,
Mr. Bowman,	Mr. Heermance,	Mr. Ogden,	Mr. Jeſſe Thompſon,
Mr. Brown,	Mr. Henry,	Mr. Potter,	Mr. Joel Thompſon,
Mr. Campbell,	Mr. Hildrith,	Mr. Prince,	Mr. Tyler,
Mr. Clifft,	Mr. Hoag,	Mr. Pride,	Mr. Van Alſtyne,
Mr. Coryell,	Mr. Holt,	Mr. Roſs,	Mr. Verplank,
Mr. Deitz,	Mr. Horton,	Mr. P. I. Schuyler,	Mr. Wendell,
Mr. J. A. De Witt,	Mr. Kane,	Mr. P. P. Schuyler,	Mr. Weſt,
Mr. Dewey,	Mr. Maſon,	Mr. T. Smith,	Mr. Wheeler,
Mr. Fort,	Mr. M'Farlan,	Mr. J. Smith,	Mr. Williamſon. 51
Mr. Gettman,	Mr. M'Neal,	Mr. N. Smith,	

Mr. Speaker gave the caſting voice in the negative.

Mr. Howard then moved, that the words "*eleven o'clock to-morrow*" be inſerted in the ſaid reſolution; and the queſtion being put thereon it paſſed in the negative.

The queſtion on the reſolution was then put, and carried in the affirmative, in the manner following, viz.

For the Affirmative.

Mr. T. Barker,	Mr. Gettman,	Mr. M'Neal,	Mr. J. Smith,
Mr. W. Barker,	Mr. Gray,	Mr. Metcalfe,	Mr. N. Smith,
Mr. Beaton,	Mr. Gregory,	Mr. Moffet,	Mr. Snell,
Mr. Bird,	Mr. Griſwold,	Mr. Morſe,	Mr. Teed,
Mr. Bowman,	Mr. Hall,	Mr. Ogden,	Mr. Thomas,
Mr. Brown,	Mr. Heermance,	Mr. Pearſall,	Mr. Jeſſe Thompſon,
Mr. Campbell,	Mr. Henry,	Mr. Potter,	Mr. Joel Thompſon,
Mr. Clifft,	Mr. Hildrith,	Mr. Prince,	Mr. Tyler,
Mr. Cornwell,	Mr. Hoag,	Mr. Pride,	Mr. Van Alſtyne,
Mr. Coryell,	Mr. Holt,	Mr. Rice,	Mr. Verplanck,
Mr. Deitz,	Mr. Horton,	Mr. Roſs,	Mr. Wendell,
Mr. J. A. De Witt,	Mr. Kane,	Mr. P. I. Schuyler,	Mr. Weſt,
Mr. Dewey,	Mr. Maſon,	Mr. P. P. Schuyler,	Mr. Wheeler,
Mr. Fort,	Mr. M'Farlan,	Mr. T. Smith,	Mr. Williamſon. 56

For the Negative.

Mr. Adams,	Mr. Coe,	Mr. Hovey,	Mr. Skidmore,
Mr. Arcularius,	Mr. Comſtock,	Mr. Howard,	Mr. A. Smith,
Mr. Baldwin,	Mr. De la Montagnie,	Mr. Hunt,	Mr. Storm,
Mr. Barber,	Mr. Denning,	Mr. Jenkins,	Mr. Ten Broeck,
Mr. Boyd,	Mr. J. C. De Witt,	Mr. Lee,	Mr. Iſrael Thompſon,
Mr. Bruyn,	Mr. Fairlie,	Mr. M'Cord,	Mr. Towner,
Mr. Burr,	Mr. Fonda,	Mr. Micheau,	Mr. Vandervoort,
Mr. Burling,	Mr. Halſey,	Mr. Miller,	Mr. Voſburgh,
Mr. Burt,	Mr. Hatfield,	Mr. Mitchell,	Mr. Warner,
Mr. Carman,	Mr. J. Hogeboom,	Mr. Reeve,	Mr. Wood. 46
Mr. Clark,	Mr. K. Hogeboom,	Mr. Robins,	
Mr. Clinton,	Mr. Holly,	Mr. Savage,	

Thereupon the Houſe proceeded openly to nominate four Senators for that purpoſe; and each of the members preſent nominated four perſons as follows, viz.

Mr. R. Hogeboom,	-	do	do	do	do	do					
Mr. Horton,	-	do			do	do	do				
Mr. Hovey,	-	do	do	do	do						
Mr. Howard,	-	do	do	do	do						
Mr. Hunt,	-	do	do	do	do						
Mr. Jenkins,	-	do	do	do	do						
Mr. Kane,	-	do			do	do	do				
Mr. Lee,	-	do	do	do	do						
Mr. Mason,	-	do			do	do	do				
Mr. M'Cord,	-	do	do	do	do						
Mr. M'Farlan,	-	do			do	do	do				
Mr. M'Neal,	-	do			do	do	do				
Mr. Metcalfe,	-	do			do	do	do				
Mr. Micheau,	-	do	do	do	do						
Mr. Miller,	-	do				do	do			do	
Mr. Mitchell,	-	do	do	do	do						
Mr. Moffet,	-	do			do	do	do				
Mr. Morse,		do			do	do	do				
Mr. Ogden,	-	do			do	do	do				
Mr. Pearfall,	-	do			do	do	do				
Mr. Potter,	-	do			do	do	do				
Mr. Prince,	-	do			do	do	do				
Mr. Pride,	-	do			do	do	do				
Mr. Reeve,	-	do				do	do			do	
Mr. Rice,	-	do			do	do	do				
Mr. Robins,	-	do	do	do	do						
Mr. Rofs,	-	do			do	do	do				
Mr. Savage,	-	do	do				do			do	
Mr. P. I. Schuyler,	-	do			do	do	do				
Mr. P. P. Schuyler,	-	do			do	do	do				
Mr. Skidmore,	-	do	do	do	do						
Mr. A. Smith,	-	do	do	do	do						
Mr. T. Smith,	-	do			do	do	do				
Mr. I. Smith,	-	do			do	do	do				
Mr. N. Smith,	-	do			do	do	do				
Mr. Snell,	-	do			do	do	do				
Mr. Storm,	-	do	do	do	do						
Mr. Teed,	-	do			do	do	do				
Mr. Ten Broeck,	-	do	do	do	do						
Mr. Thomas,	-	do			do	do	do				
Mr. Jesse Thompson,	-	do			do	do	do				
Mr. Israel Thompson,	-	do	do		do						
Mr. Joel Thompson,	-	do			do	do	do				
Mr. Towner,	-	do			do	do	do				
Mr. Tyler,	-	do			do	do	do				
Mr. Vandervoort,	-	do			do	do	do				
Mr. Van Alstyne,	-	do			do	do	do				
Mr. Verplanck,	-	do			do	do	do				
Mr. Vosburgh,	-	do	do	do	do						
Mr. Warner,	-	do	do	do	do						
Mr. Wendell,	-	do			do	do	do				
Mr. West,	-	do			do	do	do				
Mr. Wheeler,	-	do			do	do	do				
Mr. Williamson,	-	do			do	do	do				
Mr. Wood,	-	do				do	do			do	
		100	38	36	94	63	67	2	1	7	

	Ezra L'Hommedieu.	John Addison.	Ebenezer Clark.	Joseph White.	William Thompson.	Moses Vail.	James Watson.	Abraham Arndt.	Vincent Matthews.
Mr. Adams,	1								
Mr. Accularius,	do								
Mr. Baldwin,	do								
Mr. Barber,	do								
Mr. T. Barker,	do								
Mr. W. Barker,	do								
Mr. Benton,	do								
Mr. Bird,	do								
Mr. Bowman,	do								
Mr. Boyd,	do								
Mr. Brown,	do								
Mr. Bruyn,	do								
Mr. Burr,	do								
Mr. Burling,	do								
Mr. Burt,	do								
Mr. Campbell,	do								
Mr. Carman,	do								
Mr. Clark,	do								
Mr. Cliff,	do								
Mr. Clinton,	do								
Mr. Coe,	do								
Mr. Comstock,	do								
Mr. Cornwell,	do								
Mr. Coryell,	do								
Mr. Deitz,	do								
Mr. De la Montagnie,	do								
Mr. Denning,	do								
Mr. J. A. DeWitt,	do								
Mr. J. C. DeWitt,	do								
Mr. Dewey,	do								
Mr. Fairlie,	do								
Mr. Fonda,	do								
Mr. Fort,	do								
Mr. Gettman,	do								
Mr. Gray,	do								
Mr. Gregory,	do								
Mr. Grilwold,	do								
Mr. Hall,	do								
Mr. Halsey,	do								
Mr. Hatfield,	do								
Mr. Heermance,	do								
Mr. Henry,	do								
Mr. Hildrith,	do								
Mr. Hoag,	do								
Mr. J. Hoggboom,	do								
Mr. K. Hoggboom,	do								
Mr. Horton,	do								
Mr. Hovey,	do								
Mr. Howard,	do								

Thereupon, on motion of Mr. Jenkins,

Reſolved, That Ezra L'Hommedieu, one of the Senators for the Southern Diſtrict of this State, be and he is hereby appointed one of the Council of Appointment.

On motion of Mr. Bird,

Reſolved, That Moſes Vail, one of the Senators for the Eaſtern Diſtrict of this State, be and he is hereby appointed one of the Council of Appointment.

On motion of Mr. Griſwold,

Reſolved, That William Thompſon, one of the Senators for the Middle Diſtrict of this State, be and he is hereby appointed one of the Council of Appointment.

On motion of Mr. Metcalfe,

Reſolved, That Joſeph White, one of the Senators for the Weſtern Diſtrict of this State, be and he is hereby appointed one of the Council of Appointment.

On motion of Mr. Brown,

Reſolved, That Ezra L'Hommedieu, one of the Senators for the Southern Diſtrict, Moſes Vail, one of the Senators for the Eaſtern Diſtrict, William Thompſon, one of the Senators for the Middle Diſtrict, and Joſeph White, one of the Senators for the Weſtern Diſtrict, be and they are hereby nominated and appointed, a Council of Appointment.

Ordered, That Mr. Arcularius and Mr. Baldwin deliver a copy of the preceding reſolution, ſigned by the Speaker, to his Excellency the Governor.

Then the Houſe adjourned until eleven o'clock to-morrow morning.

Thurſday, eleven o'clock, A. M. January 4th, 1798.

A memorial of the Harbour-Maſter of the port of New-York, ſtating, that inconveniences have reſulted from the operation of the law for regulating the ſaid port, and repreſenting the neceſſity of certain alterations and additions to the ſaid law, and the memorial of Andrew Morris and others, manufacturers of ſoap and candles, in the city of New-York, were ſeverally read, and referred to the members attending in this Houſe, from the city and county of New-York.

A memorial and petition of Samuel Miller, of the city of New-York, ſetting forth, that he has been for ſome time paſt engaged in collecting materials for writing a hiſtory of this State, and praying that he may have leave to inſpect ſuch of the records as he may find conducive to his object, in the ſeveral public offices, in the State, without the payment of the fees preſcribed by law for ſuch inſpection, was read, and referred to Mr. Mitchell, Mr. Cornwell, and Mr. De la Montagnie.

A petition of Elijah Goodal and Daniel Mansfield, of the county of Herkimer, praying a leaſe of certain reſerved lands at the Falls of Oſwego, was read, and referred to Mr. M'Neal, Mr. Campbell and Mr. Brown.

A petition of Peter Dox, and others, inhabitants of the city of Albany, ſtating that they have lately ſuſtained very great loſſes by fire in the ſaid city, and praying a loan of money on intereſt to be ſecured by mortgage on real property, was read, and committed to a committee of the whole Houſe.

A petition of Mary Hanſon, widow of John Hanſon, relative to a balance of £. 3700 ſterling, due her late huſband, on a penſion granted by his Britannic Majeſty, out of the quitrents ariſing within the colony of New-York, was read, and referred to the Comptroller.

A petition of Abraham Wemple, and others, of the town of Schenectady, praying for the reaſons therein ſtated, that they may have leave to bring in a bill into either Houſe of the Legiſlature, authorizing the freeholders of the ſaid town to elect Truſtees to take charge of, manage and diſpoſe of, certain lands within the ſaid townſhip, for the uſe of the ſaid freeholders, was read, and referred to Mr. Bird, Mr. Comſtock and Mr. Ogden.

A petition of John Cſtrander, late a lieutenant in the line of this State, praying compenſation forh is ſervices, was read, and referred to Mr. M'Cord, Mr. Wendell, and Mr. Ten Broeck.

A petition of Archibald Currie, of the city of New-York, relative to a demand againſt the forfeited eſtate of Donald Fiſher, oft he county of Waſhington, was read, and referred to the Comptroller.

A petition of Charles Swan, and others, pilots of the port of New-York, praying for the reaſons therein ſtated, that alterations may be made in the law for the regu-

lation of pilots and pilotage, ſo far as the ſame reſpects the dimenſions of pilot boats, and a petition of E. Stevens, and others, merchants of the city of New-York, in behalf of the ſaid pilots, were ſeverally read, and referred to Mr. Boyd, Mr. Jenkins, and Mr. Arcularius.

A memorial of John Lawrence, of the city of New-York, praying that the Legiſlature will make proviſion by law, to repay him the conſideration money paid the State for certain lands in the Royal Grant, purchaſed from the Commiſſioners of Forfeitures of the Weſtern Diſtrict, in the year 1788, of which the memorialiſt is the proprietor, but which are claimed by ſome of the children of the late Sir William Johnſon, whoſe eſtates were not forfeited, was read, and referred to the Surveyor-General.

A petition of Daniel Hitchcock, and others, ſtiling themſelves the Repreſentatives of the Fire Department of the City of New-York, praying an act of incorporation, was read, and referred to Mr. Burr, Mr. Clinton and Mr. Storm.

A petition of the Superviſors of the county of Delaware, requeſting that a law may be paſſed to authorize the raiſing a ſum of money for the purpoſe of building a court-houſe and gaol in the ſaid county; and requeſting further that the ſaid county may receive a proportion of the money allowed by the State for the encouragement of ſchools, was read, and referred to Mr. Horton, Mr. P. I. Schuyler and Mr. Tyler.

A petition of Fry and Southwick, of the city of Albany, Printers, ſoliciting the appointment of Printers to the State, was read, and ordered to lie on the table.

Mr. Metcalfe, from the committee appointed to prepare and report a draft of a reſpectful addreſs to his Excellency the Governor, in anſwer to his Speech, reported, that the ſaid committee had prepared a draft accordingly, which he read in his place, and delivered the ſame in at the table, where it was again read.

Ordered, That the ſaid draft of an addreſs be committed to a committee of the whole Houſe.

Then the Houſe reſolved itſelf into a committee of the whole Houſe, on the ſaid draft of an addreſs, and after ſome time ſpent thereon, Mr. Speaker reſumed the chair, and Mr. Clinton from the ſaid committee reported, that they had gone through the ſaid draft without amendment, which he was directed to report to the Houſe; and he read the report in his place, and delivered the draft in at the table, where the ſame was again read, and agreed to by the Houſe.

Ordered, That the ſaid draft be engroſſed.

The Houſe proceeded to the conſideration of the communication of the Hon. Philip Schuyler, as entered on the Journals of yeſterday, and the ſame having been read and conſidered, the following concurrent reſolution was entered into.

Whereas Philip Schuyler, Eſquire, one of the Senators repreſenting this State, in the Senate of the Congreſs of the United States, has by a letter of the 2d inſt. ſignified to the Legiſlature, his requeſt to reſign that appointment:

Reſolved (if the Hon. the Senante concur herein) That the reſignation of the ſaid Philip Schuyler be and is hereby accepted.

Ordered, That Mr. Barber, and Mr. T. Barker, deliver a copy of the preceding reſolution to the Hon. the Senate.

The Houſe proceeded to the conſideration of the report of the Comptroller on the petition of Mary Black; the ſaid report having been read,

Ordered, That it be referred to Mr. Fairlie, Mr. Moffet and Mr. M'Farlan.

A meſſage from the Hon. the Senate, delivered by Mr. Arndt and Mr. Bronk with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "*An act to amend an act, entitled an act, making proviſions for the more due and convenient conducting public proſecutions at the Courts of Oyer and Terminer, and Gaol Delivery, and General Seſſions of the Peace*," to which they requeſt the concurrence of this Houſe; the ſaid bill was read a firſt time, and ordered a ſecond reading.

By unanimous conſent, the ſaid bill was read a ſecond time, and committed to a committee of the whole Houſe.

Mr. Speaker laid before the Houſe a number of reports from the ſuperviſors of ſeveral counties in this State, relative to ſchools; which were tranſmitted to him by the ſecretary of the State.

Ordered, That the ſaid reports be depoſited with the Clerk of this Houſe, for the inſpection of the members.

Reſolved (if the Hon. the Senate concur herein) That a joint committee be appointed to arrange the printing buſineſs of the ſeſſion, and in caſe of ſuch concurrence, that Mr. Brown, Mr. Bird, Mr. Denning, Mr. Metcalfe, and Mr. Griſwold, be of the ſaid committee on the part of this Houſe.

Ordered, That Mr. Baldwin and Mr. Benton deliver a copy of the preceding reſolution to the Hon. the Senate.

It having been announced to the Houſe that Nathaniel Wattles, late a member of this Houſe, from the county of Delaware, hath departed this life: On motion of Mr. Savage,

Reſolved, That this Houſe, with the Speaker, and attendant Officers, will attend the funeral of the ſaid Nathaniel Wattles, deceaſed; and that it be recommended to the members of this Houſe to go into mourning, by wearing a black crape on the left arm, for the ſpace of four weeks.

Then the Houſe reſolved itſelf into a committee of the whole Houſe, on the ſpeech of his Excellency the Governor, at the opening of the ſeſſion, and after ſome time ſpent thereon, Mr. Speaker reſumed the chair, and Mr. Denning from the ſaid committee reported progreſs, and aſked leave to ſit again.

Ordered, That the ſaid committee have leave to ſit again.

Then the Houſe adjourned until eleven o'clock to-morrow morning.

Friday, eleven o'clock, A. M. January 5th, 1798.

A report of the Surveyor-General, accompanied with two maps of the city of Oſwego, was read, and is in the words following, viz.

The Surveyor-General, purſuant to the act, entitled "*An act for laying out part of lot No. One, in the town of Hannibal, in the county of Onondaga, into lots, and for other purpoſes therein mentioned*," paſſed the 3d of April, 1797, herewith delivers to the Legiſlature a Map of the ground laid out, agreeable to the directions of ſaid act; and at the ſame time begs leave to obſerve, that reſtricted by inſtructions pointed and unqualified, he had not the right of executing this buſineſs in ſuch a manner as he judged would be beſt calculated for convenience and elegance—He therefore takes the liberty of exhibiting for examination another plan, which he thinks preferable to the one made in ſtrict conformity to the law. This or any other may ſtill be adopted, without much inconveniency, in the preſent ſtage of the buſineſs. On this ſubject he alſo reſpectfully ſubmits the following obſervations.

The law directs ſtreets of different dimenſions to be laid out. On this it may be remarked, that the ſame reaſon which dictates the propriety that ſome ſhould be 100 feet wide, will argue generally for others having the ſame width. Every man converſant with the affairs of cities, knows that the roomineſs of ſtreets adds more to the value of adjacent property than is loſt by the ground required for that purpoſe. By making diſtinction between their ſizes, attention is invited to the improvement of ſome to the neglect of others; which, eſpecially in the infancy of a place, will on that account long remain devoted as receptacles of filth. In the propoſed plan they are, therefore, all made 100 feet wide.

All the houſe lots are ordered to be 66 feet front and rear, and 200 feet deep. This impoſes the neceſſity of facing them all the ſame way; and with reſpect to thoſe that lay along the river it is abſolutely impoſſible to comply with the direction—They muſt, therefore, of neceſſity be of different dimenſions.

The public ſquare is contemplated by the law both for the accommodation of public buildings and for marketing. Public ſquares are always deſigned, beſides other particular, uſed to contribute to the ornament and health of cities, and both theſe important ends would be defeated were markets admitted into them. It is therefore propoſed to aſſign them convenient places on the bank of the river, into which what would otherwiſe become offenſive, contaminate the air, and generate diſeaſes, may at all times without delay or difficulty be diſcharged.

No proviſion is made for a cemetery, or burying ground. That ſuch ought to be done in the original plan of a place, which without doubt will grow into a populous city, is evinced by modern practice, founded on improvement in thoſe branches of ſcience which have for their object the conſervation of health. It is well known that human bodies in a ſtate of corruption, eſpecially thoſe that have died of ſuch malignant

diſorders as every where occur, emit the moſt baneful poiſon into the air, againſt which common ſepulture is ſuppoſed not to be a ſufficient ſecurity; wherefore, a city that ſuffers interments within its limits indiſcriminately, does it at the peril of the lives of its citizens. A place is therefore propoſed for a cemetery near the lake, on an elevated plain, and not ſuited for mercantile purpoſes, on account of its bleakneſs and the impoſſibility of having eſtabliſhed landing places there—And at the ſame time it will ſerve to keep open the range of a fort, which it may be deemed proper to conſtruct on the ſcite of the old fortifications, for the defence of the harbor.

Churches are the ſchools of morality, in proportion to the advancement of which governments may be more benignly adminiſtered. It is therefore good policy to make proviſion for them, co-eval with the foundation of a city, accordingly a place is given them on the propoſed plan, adjoining to the cemetery, where they will be the moſt retired from the noiſe of buſineſs, and, aided by the ſolemnity of ſurrounding circumſtances, inſpire people the more with tempers proper for acts of devotion and meditation.

In both plans the ſtreets denominated *firſt* and aries ſtreets are the ſame. They are fixed by monuments, and their courſes aſcertained by accurate aſtronomical obſervations, which will forever remain guides for all the ſtreets, without the poſſibility of erring in the leaſt ſenſible degree. The ſizes of the lots are with a few exceptions alſo the ſame.

The Surveyor-General having perſonally examined the ground and beſtowed ſome reflections upon it, has, from this circumſtance, acquired means of judging reſpecting the diſtribution of it to the beſt advantage, which cannot be afforded by ordinary information alone.—He has therefore conceived it to be his duty, to make this repreſentation on a ſubject that will, hereafter at leaſt, be conſidered as of ſerious importance, and at preſent, as he hopes, apologize for the freedom of thus particularly expreſſing his opinions about it.

All which is moſt reſpectfully ſubmitted.

SIMEON DEWITT, *Surveyor-General.*

January 3d, 1798.

Ordered, That the ſaid report and maps be referred to Mr. Williamſon, Mr. Mitchell, Mr. Burr, Mr. Hall, Mr. Halſey, Mr. Tyler, and Mr. Dewey.

A copy of a reſolution of the Hon. the Senate, delivered by Mr. Bronk and Mr. Cantine, was read, that the Senate do concur with this Houſe, in their reſolution relative to accepting the reſignation of the Hon. Philip Schuyler, as entered on the Journals of this Houſe, on the 4th inſtant.

Reſolved (if the Hon. the Senate concur herein) That the Senate and Aſſembly will on Thurſday next, at twelve o'clock, nominate and appoint a Senator to repreſent this State, in the Senate of the Congreſs of the United States, in the room of the Hon. Philip Schuyler, Eſquire, who has reſigned that appointment.

Ordered, That Mr. Bird and Mr. Bowen, deliver a copy of the preceding reſolution to the Hon. the Senate.

John Barker, a member of this Houſe, returned as duly elected in the county of Weſt-cheſter; and Iſaac Foot, and Benjamin Bowen, members of this Houſe, returned as duly elected in the county of Herkimer, ſeverally appeared in the Aſſembly Chamber.

Ordered, That Mr. Benton and Mr. Bird, attend before one of the commiſſioners appointed to adminiſter oaths, and ſee them duly qualified.

A petition of Joſhua H. Brett, and others, inhabitants of the county of Delaware, praying an additional term of the Courts of Common Pleas and General Seſſions of the Peace, was read, and referred to Mr. Horton, Mr. Hovey, and Mr. Morſe.

A petition of John Qua and others, aliens, praying that they may be enabled by law, to purchaſe and hold real eſtates within this State, was read, and referred to Mr. Baldwin, Mr. Gray, and Mr. Fort.

A petition of Elizabeth Van Cortlandt, and a petition of Peter Schermerhorn and Solomon Simſon, relative to the eſtate of William R. Van Cortlandt, were ſeverally read, and referred to the Attorney General.

Mr. Benton reported, that purſuant to the order of the Houſe, Mr. Bird and himſelf had attended before Joſiah Ogden Hoffman, Eſquire, one of the commiſſioners appointed to adminiſter oaths, with Mr. J. Barker, Mr. Foot, and Mr. Bowen, and had ſeen them duly qualified, by taking and ſubſcribing the oaths by law preſcribed.

Ordered, That the ſaid members ſo qualified do take their ſeats.

The engroſſed addreſs to his Excellency the Governor, was read, and is in the words following, viz.

To His Excellency JOHN JAY, *Eſquire, Governor of the State of New-York.*

SIR;

Contemplating the affairs of the United States, we cannot but concur with your Excellency, that this is an eventful and intereſting period, and one that ſtrongly invites, not only all to whom may be committed any portion of public duty, but alſo the great body of the people of theſe States, to the exerciſe of the greateſt harmony, prudence and energy.

That we enjoy a calm ſeaſon to deliberate on our common concerns, is matter of the moſt ſenſible pleaſure to us; and permit us to aſſure your Excellency, that no endeavours on our part ſhall be wanting towards the diſcharge of the various and important duties impoſed on us by our country.

The demands of the Executive of the United States upon this State, authorized by an act of Congreſs, to organize, arm, equip and hold in readineſs its quota of militia troops, and the neceſſary ſupplies, with the means of guarding againſt waſte, and miſapplication of ſuch ſupplies, will receive from us an early and particular attention.

We entirely coincide with your Excellency in opinion, that many of our ſtatute laws require amendment; and we conceive the period not far diſtant, at which it will become the policy of this State, to provide a complete reviſion of our written laws.

The difficulties and defects your Excellency has been pleaſed to allude to, exiſting in the act making alterations in the Criminal Code, and in the act reſpecting Aſſiſtant Attornies General, and in the laws relative to the Militia, and Quit-Rents, will by us be duly conſidered; and the omiſſions, and other imperfections in thoſe laws remedied, in a manner conſiſtent with ſound policy, and the manifeſt importance of thoſe ſeveral objects.

On the ſubject of taxation we are convinced, the laws of this State require amendment, and it is with regret we find ſo many embarraſſments have heretofore prevented a ſalutary reform. The expediency of providing competent checks on all kinds of authority, where more or leſs of diſcretion muſt neceſſarily be uſed, cannot be doubted; and we conſider it a matter of the utmoſt conſequence, that a ſyſtem of taxation be ſpeedily eſtabliſhed, which may operate as equally as poſſible on all our citizens, ſpecifying every proper object of taxation, and affording ſurer means of aſcertaining the quota of each individual.

We regret with your Excellency, that the laws relative to uſury, and the ſabbath, are treated with diſreſpect and diſobedience; the importance of theſe objects demands our utmoſt attention, and the expediency of repealing or providing more competent means for enforcing them, will become the ſubject of our diſcuſſion.

Whatever new caſes may be diſcovered in the courſe of our deliberations, which may require legiſlative proviſion, together with ſuch as your Excellency has been pleaſed to mention, to wit, the eſtabliſhment of arſenals, and the preſervation of military ſtores, will receive from us an attention adequate to their importance.

Your forbearing to preſs our attention to the great intereſts of learning, public juſtice, agriculture and commerce, we conſider as a flattering teſtimony of your confidence in our intentions to promote the public good. Finally, Sir, conſcious of poſſeſſing a true ſenſe of our duties as the Repreſentatives of a Free People, we ſhall endeavor to render the ſeſſion uſeful to our fellow-citizens and honorable to ourſelves.

Ordered, That Mr. Speaker ſubſcribe the ſaid addreſs on behalf of the Houſe.

Reſolved, That the ſaid addreſs be preſented to his Excellency the Governor by the whole Houſe.

Ordered, That Mr. Metcalfe and Mr. Verplanck, wait on his Excellency the Governor, and know when he will be pleaſed to be attended by this Houſe with their reſpectful addreſs.

Then the Houſe reſolved itſelf into a committee of the whole Houſe, on the ſpeech of his Excellency the Governor, and after ſome time ſpent thereon, Mr. Speaker

reſumed the chair, and Mr. Denning, from the ſaid committee reported, that the committee had agreed to the following reſolutions, viz.

Reſolved, as the ſenſe of this commitee, That a committee be appointed to take into conſideration, that part of his Excellency the Governor's ſpeech, which relates to the erection of arſenals, the proviſion of arms, and the preſervation of military ſtores, and report their opinion thereon to the Houſe.

Reſolved, as the ſenſe of this committee, That a committee be appointed to take into conſideration that part of his Excellency the Governor's ſpeech, relative to the criminal law, and report their opinion thereon to the Houſe.

Reſolved, as the ſenſe of this committee, That a committee be appointed to take into conſideration, that part of his Excellency the Governor's ſpeech, relative to Aſſiſtant Attornies General, and report their opinion thereon to the Houſe.

Reſolved, as the ſenſe of this committee, That a committee be appointed to take into conſideration that part of his Excellency the Governor's ſpeech, relative to quit-rents, and report their opinion thereon to the Houſe.

Reſolved, as the ſenſe of this committee, That a committee be appointed to take into conſideration that part of his Excellency the Governor's ſpeech, relative to the militia law, and report their opinion thereon to the Houſe.

Reſolved, as the ſenſe of this committee, That a committee be appointed to take into conſideration that part of his Excellency the Governor's ſpeech, relative to taxation, and report their opinion thereon to the Houſe.

Reſolved, as the ſenſe of this committee, That a committee be appointed to take into conſideration that part of his Excellency the Governor's ſpeech, relative to the prohibition of uſury and limiting the intereſt of money, and report their opinion thereon to the Houſe.

Reſolved, as the ſenſe of this committee, That a committee be appointed to take into conſideration that part of his Excellency the Governor's ſpeech, relative to the law reſpecting the obſervation of the ſabbath, and report their opinion thereon to the Houſe.

Which he was directed to report to the Houſe; he alſo reported, that the committee had made further progreſs, and had directed him to move for leave to ſit again; Mr. Denning read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the ſaid committee have leave to ſit again: Thereupon,

Reſolved, That a committee be appointed to take into conſideration that part of his Excellency the Governor's ſpeech, which relates to the erection of arſenals, the proviſion of arms, and the preſervation of military ſtores; and report their opinion thereon to the Houſe, and that Mr. Wendell, Mr. Bruyn, Mr. P. I. Schuyler, Mr. Fonda, and Mr. Denning, be of the ſaid committee.

Reſolved, That a committee be appointed to take into conſideration that part of his Excellency the Governor's ſpeech, relative to the criminal law, and report their opinion thereon to the Houſe; and that Mr. Bird, Mr. Howard, and Mr. Bowman, be of the ſaid committee.

Reſolved, That a committee be appointed to take into conſideration that part of his Excellency the Governor's ſpeech, relative to Aſſiſtant Attornies General, and report their opinion thereon to the Houſe; and that Mr. Clinton, Mr. K. Hogeboom, and Mr. Wheeler, be of the ſaid committee.

Reſolved, That a committee be appointed to take into conſideration, that part of his Excellency the Governor's ſpeech, relative to quit-rents, and report their opinion thereon to the Houſe; and that Mr. Thomas, Mr. Roſs, Mr. Carman, Mr. Tyler, and Mr. Henry, be of the ſaid committee.

Reſolved, That a committee be appointed to take into conſideration that part of his Excellency the Governor's ſpeech, relative to the militia law, and report their opinion thereon to the Houſe; and that Mr. Fairlie, Mr. Kane, Mr. Williamſon, Mr. Moffet and Mr. Maſon, be of the ſaid committee.

Reſolved, That a committee be appointed to take into conſideration that part of his Excellency the Governor's ſpeech, relative to taxation, and report their opinion thereon to the Houſe; and that Mr. Wood, Mr. Comſtock, Mr. Metcalfe, Mr. Mitchell and Mr. Jeſſe Thompſon, be of the ſaid committee.

Reſolved, That a committee be appointed to take into conſideration that part of his

Excellency the Governor's ſpeech, relative to the prohibition of uſury and limiting the intereſt of money, and report their opinion thereon to the Houſe; and that Mr. Williamſon, Mr. Burr, Mr. Fairlie, Mr. Comſtock and Mr. Wood, be of the ſaid committee.

Reſolved, That a committee be appointed to take into conſideration that part of his Excellency the Governor's ſpeech, relative to the law reſpecting the obſervation of the ſabbath, and report their opinion thereon to the Houſe; and that Mr. Savage, Mr. Warner, Mr. P. P. Schuyler, Mr. Vandervoort and Mr. M'Neal, be of the ſaid committee.

A memorial and repreſentation of Solomon Hatch and others, freeholders and inhabitants of the county of Otſego, relative to quit-rents, was read, and referred to the committee to whom was referred that part of his Excellency the Governor's ſpeech, relative to quit-rents.

A petition of John Merſereau, and others; a petition of Jacomiah Akerly and others; a petition of James L. Bogert and others; and a petition of Thomas Lawrence and others, inhabitants of the city and county of New-York, praying a repeal of the law paſſed at the laſt ſeſſion of the Legiſlature, relative to the recovery of debts to the value of ten pounds in the city of New-York, was read and referred to the committee for Courts of Juſtice.

A petition of Thomas Wooley and others, of North Hempſted, in Queens county, relative to a ferry acroſs the Sound, was read, and referred to the committee for grievances.

A petition of Silas Wood, relative to a lot of land in the Royal Grant, which was ſold and conveyed by the commiſſioners of forfeitures of the Weſtern Diſtrict, as part of the forfeited eſtate of the late Sir John Johnſon, but which appears to have belonged to the minor children of the late Sir William Johnſon, and not forfeited; and a petition of John Nicholſon of the like import, were ſeverally read, and referred to the Surveyor-General.

Mr. Maſon from the committee of the whole Houſe on the bill entitled, "*An act making proviſions for the more due and convenient conducting public proſecutions, at the Courts of Oyer and Terminer and Gaol delivery, and General Seſſions of the Peace,*"

Reported, That the committee had gone thro' the bill without amendment, which he was directed to report to the Houſe; and he read the report in his place, and delivered the ſame in at the table, where it was again read, and agreed to by the Houſe.

Ordered, That Mr. Bowen and Mr. Bowman deliver the bill to the Hon. the Senate, and inform them that this Houſe have paſſed the ſame without amendment.

Mr. Metcalfe reported, that purſuant to the order of the Houſe, Mr. Verplanck and himſelf had waited on his Excellency the Governor, to know when he would pleaſe to be attended by this Houſe, with their reſpectful addreſs, and that his Excellency had appointed to-morrow at two o'clock for that purpoſe, at Wendell's Hotel.

Ordered, That the ſeveral petitions of John Morton, C. R. and G. Webſter, Barber and Southwick, Fry and Southwick, and of Loring Andrews and Co. be referred to Mr. Brown, Mr. Bird, Mr. Denning, Mr. Metcalfe and Mr. Griſwold.

A copy of a reſolution of the Hon. the Senate, delivered by Mr. Cantine and Mr. Clark, was read, that the Senate have concurred in the reſolution of this Houſe, as entered on the Journals of this day, relative to the appointment of a ſenator in the room of the Hon. Philip Schuyler, Eſquire, who has reſigned.

The Houſe having diſpenſed with the order, made on the 2d inſt. for poſtponing the conſideration of the objections of the Hon. the Council of Reviſion to the bill entitled "*An act further to amend the act, entitled an act to organize the Militia of this State,*" as entered on the Journals of this Houſe on Tueſday laſt, proceeded to the conſideration thereof; the ſaid objections being read and conſidered, and the ſaid bill being read and reconſidered, Mr. Speaker put the queſtion, whether the ſaid bill notwithſtanding the objections of the Hon. the Council of Reviſion to the ſame, ſhall be a law of this State, and it paſſed in the negative.

Then the Houſe adjourned until eleven o'clock to-morrow morning.

Saturday, eleven o'clock, A. M. January 6th, 1798.

A petition of the Branch Pilots of the port of New-York, praying that the preſent rates of pilotage may be continued to them, was read, and referred to Mr. Boyd, Mr. Jenkins and Mr. Arcularius.

A petition of Seth Andrews and others, praying a grant of money for the purpoſe of building a bridge acroſs the Suſquehannah river, on the Great Road leading from Catſkill to the Weſtward, was read, and referred to Mr. Benton, Mr. Halſey, and Mr. Towner.

Mr. Mitchell, from the committee to whom was referred, the memorial of Samuel Miller, of the city of New-York, reported in favour of the memorialiſt, and obtained leave to bring in a bill, entitled, "*An Act to encourage the writing a Hiſtory of this State;*" which was read the firſt time, and ordered a ſecond reading.

Mr. Storm, from the committee to whom was referred the memorial of the manufacturers of ſoap and candles in the city of New-York, reported, that from the number and complexity of the laws paſſed, reſpecting nuiſances in the city of New-York, it would in their opinion be expedient to enact a general law on the ſubject, more extenſive than the one contemplated by the memorialiſts, compriſing the neceſſary proviſions againſt nuiſances; and at the ſame time affording ſuch relief to the memorialiſts, and other perſons in the ſame ſituation, as may appear proper and expedient.

That the committee do not conceive themſelves fully authorized under the reference of the Houſe, to make a report of ſo fully comprehenſive a kind. And therefore, reſpectfully requeſt further directions in the premiſes, which report was approved of by the Houſe: Thereupon,

Reſolved, That the ſaid committee have leave to reviſe the exiſting ſtatutes, reſpecting nuiſances in the city of New-York, and for preventing the introduction of infectious diſeaſes into this State, and that they report what alterations and amendments are requiſite therein.

A copy of a reſolution of the Hon. the Senate, delivered by Mr. Clark and Mr. Coe, was read, that the Senate have concurred with this Houſe in their reſolution of the 4th inſt.—That a joint committee be appointed to arrange the Printing-Buſineſs of the preſent ſeſſion; and that Mr. Spencer, Mr. J. Morris, and Mr. Bronk, be of the ſaid committee on the part of the Senate.

Mr. Baldwin, purſuant to notice by him for that purpoſe heretofore given, moved for and obtained leave to bring in a bill entitled, "*An Act to confirm the Partition of certain Lands therein mentioned;*" which was read the firſt time, and ordered a ſecond reading.

On motion of Mr. Howard;

Reſolved, That a committee be appointed to reviſe and amend the law, entitled, "*An Act for the more ſpeedy recovery of debts to the value of Ten Pound,*" and to report a new bill for the ſame purpoſe, ſo that the ſaid law, with its ſeveral amendments, may be compriſed in one ſtatute; and that Mr. Howard. Mr. T. E. Barker, Mr. Adams, Mr. Iſrael Thompſon, and Mr. Robins, be of the ſaid committee.

Mr. Baldwin, from the committee to whom was referred, the petition of John Qua and others, aliens, reported in favour of the petitioners, and obtained leave to bring in a bill entitled, "*An Act to enable certain Perſons therein named, to purchaſe and hold real Eſtates within this State,*" which was read a firſt time, and ordered a ſecond reading.

A copy of a reſolution from the Hon. the Senate delivered by Mr. Coe, and Mr. Frey, was read, and is in the words following, viz.

Reſolved (if the Hon. the Aſſembly concur herein) That a joint committee of the Senate and Aſſembly be appointed to conſider and report, whether any and what legiſlative proviſion is neceſſary, reſpecting the lots in the county of Onondaga, which have been reſerved for promoting the goſpel and public ſchools, and for promoting literature, and in caſe of ſuch concurrence, that Mr. Jones, Mr. Gold and Mr. Matthews, be of the ſaid committee on the part of the Senate.

Reſolved, That this Houſe do concur with the Hon. the Senate in their ſaid reſolution, and that Mr. Foot, Mr. J. A. De Witt, Mr. J. Barker, Mr. Holt and Mr. Comſtock be of the ſaid committee on the part of this Houſe.

Ordered, That Mr. Boyd and Mr. Brown deliver a copy of the preceding reſolution to the Hon. the Senate.

Reſolved, That a committee be appointed to examine what alterations, if any, are neceſſary in the act entitled, "*An act to regulate highways*," and that Mr. Dietz, Mr. Micheau, Mr. Teed, Mr. P. I. Schuyler, Mr. J. C. De Witt, Mr. Hatfield, Mr. Voſburgh, Mr. Gray, Mr. T. Smith, Mr. Gregory, Mr. Gettman, Mr. N. Smith, Mr. Henry, Mr. Horton, Mr. Rice, Mr. Roſs, Mr. Tyler, Mr. Coryell, Mr. Williamſon and Mr. Hall, be of the ſaid committee.

Reſolved, That all Bills which ſhall be paſſed in a committee of the whole, ſhall previouſly to their being engroſſed, be referred to a committee whoſe duty it ſhall be to examine the ſame, and report all errors which may have eſcaped the notice of the Houſe, together with the amendments thereof; and that Mr. Clinton, Mr. Wood and Mr. Metcalfe, be of the ſaid committee.

Mr. Speaker then left the chair, and with the Houſe attended on his Excellency the Governor with their reſpectful addreſs, according to his appointment, and being returned he reſumed the chair, and reported, that the Houſe had attended his Excellency the Governor with their reſpectful addreſs, and that his Excellency had been pleaſed to return an anſwer thereto, and to deliver him a copy thereof; which was read, and is in the words following, viz.

GENTLEMEN,

When enlightened Legiſlators concur in conſidering any particular objects as being important to the public welfare, they ſeldom fail in their endeavors to deviſe and adopt efficient means to accompliſh them.

I derive therefore great pleaſure from the proſpect, which this addreſs affords of a valuable reform in ſome of our laws; and of well adapted proviſions for new exigencies. Be aſſured Gentlemen, that nothing within my department ſhall be omitted, to ſecond ſuch laudable and beneficial purpoſes.

JOHN JAY.

Albany, 6th January, 1798.

Then the Houſe adjourned until eleven o'clock on Monday morning next.

Monday, eleven o'clock, A. M. January 8th, 1798.

The bill entitled, "*An Act to encourage the writing a Hiſtory of this State;*" the bill entitled, "*An Act to confirm the Partition of certain Lands therein mentioned*," and the bill entitled, "*An Act to enable certain Perſons therein named, to purchaſe and hold real Eſtates, within this State*," were ſeverally read a ſecond time, and committed to a committee of the whole Houſe.

A petition of John Toll, and others, inhabitants of the townſhip of Schenectady, praying for a diviſion of the ſaid town, was read, and referred to Mr. Prince, Mr. Clifft and Mr. Heermance.

A petition of John Porteus, in behalf of himſelf and Alexander Ellice, relative to certain lands ſold by the commiſſioners of forfeitures for the Weſtern Diſtrict, as part of the forfeited eſtate of Sir John Johnſon, was read, and referred to Mr. Ogden, Mr. Clark and Mr. Hoag.

A petition of Stephen O. Runyan, and others; a petition of James Smith, and others; and a petition of Joſhua Root, and others, inhabitants of the eaſtern part of the county of Tioga, praying for a diviſion of the ſaid county, were ſeverally read, and referred to Mr. Hovey, Mr. Coryell, Mr. Holt, Mr. Dewey, and Mr. Tyler.

A memorial of Marinus Willett, late Colonel-Commandant of a regiment of levies in this State, in behalf of himſelf and others, officers of the ſame regiment, praying the like bounty in lands for their ſervices, as has been granted to officers of ſaid regiment; a petition of Amos Hamlin, late a private in ſaid regiment, relative to bounty land; and a petition of James Pine, of the county of Weſtcheſter, relative to the forfeited eſtate of Thomas Merritt, were ſeverally read, and referred to the Attorney General.

A petition of James Jordan, praying a grant of bounty lands, for his ſervices, as a private in a troop of horſe during the late war; a petition of Nathaniel Collins, and others; and a petition of Alexander Alford, praying grants of vacant lands in Clin-

ton county; a petition of Samuel F. Smith, and others, praying grants of vacant lands in the county of Albany; a petition of Caleb Brown, and others, praying a grant of vacant lands in the county of Otſego; and a petition of Robert Milligan, relative to bounty lands, were ſeverally read, and referred to the Surveyor-General.

A petition of Seth R. Kneeland and Barzillai Dufenbury, of the city of New-York, praying that the Legiſlature will direct the payment of the ſums awarded them by Meſſieurs John Broome and William Conſtable, choſen arbitrators between the petitioners and the commiſſioners appointed to provide Field Artillery, on a contract for making carriages for mounting field pieces, was read, and referred to Mr. Burling, Mr. Bevier and Mr. Hildrith.

A petition of William Wickham and others, inhabitants of the townſhip of Hector, in the county of Onondaga, praying that they may be empowered to leaſe the mill ſeat on lot No. One in the ſaid town, for the purpoſe of erecting a griſt-mill thereon, for the convenience of the ſettlers, was read, and referred to the joint committee of the Senate and Aſſembly appointed on the 6th inſtant, relative to the public lots reſerved for promoting the goſpel and ſchools.

A petition of Samuel Bear, ſtating that he hath made expenſive improvements on a lot of land in the reſervation, on the ſouth ſide of the Seneca river, and praying the like privileges as have been granted by the State to other new ſettlers, was read, and referred to Mr. M'Neil, Mr. Campbell, and Mr. Brown.

A petition of Daniel Lake, and others; a petition of John Tyler, and others; a petition of Abraham Burbank, and others; and a petition of John Journeay, jun. and others, inhabitants of the county of Richmond, praying a repeal of the act to regulate highways, ſo far as the ſame reſpects the county of Richmond, were ſeverally read, and referred to the committee, appointed on the 6th inſtant, to examine what alterations if any are neceſſary in the ſaid act.

Mr. Brown from the committee appointed to confer with a committee of the Hon. the Senate, relative to the Printing-Buſineſs of the State; and to whom alſo were referred the ſeveral petitions of the John Morton, C. R. and G. Webſter, Loring Andrews and Co. Barber and Southwick, and Fry and Southwick, reported:—

That the committee are of opinion, that the diſtance of the preſent State Printer from the ſeat of government, and the place of the ſitting of the Legiſlature, renders it extremely inconvenient to have the printing buſineſs performed by him, and occaſions great delay in printing the Laws, and in tranſmitting them to the perſons entitled thereto; and that in opinion of the committee, the Printer to the State ought to be reſident in the city of Albany, and that a change of the State Printer from theſe reaſons is eſſentially neceſſary. That the committee have proceeded to collect propoſals from the ſeveral printers in the city of Albany, which are as follows:

Meſſrs. Webſters offer to print 450 copies of the laws, and 450 copies of the Journals, at 50s. per ſheet, and will print ſuch *extra* work as the preſent State Printer agreed to do *gratis* upon the ſame terms, and will deliver the Laws within one month or leſs from the riſing of the Legiſlature, and the Journals in one week thereafter; and in general do all the buſineſs with the greateſt poſſible diſpatch, and will ſend the Laws to the Clerks of all the counties, except Richmond, Kings, Queens and Suffolk, which counties muſt receive them at New-York, and alſo except the Laws and Journals for Deleware and Tioga counties, which will be ſent to the Poſt-Office at Catſkill or Kingſton; and alſo except thoſe for Onondaga, Ontario and Steuben counties, which will be left at the ſtage houſe at Old Fort-Schuyler, and thoſe for Clinton county, will be left at M'Neal's ferry in Saratoga county, on or before the tenth day of May in each year, for one hundred dollars.

Meſſrs. Loring Andrews and Co. offer to print the Journals for 36s. per ſheet, and the Laws at 48s. per ſheet, and to complete the Laws in 30 days after the riſing of the Legiſlature, provided the Secretary furniſhes them in ſeaſon. Abſtracts and copies directed to be publiſhed they offer to publiſh *gratis*, and they offer to tranſmit the laws and Journals to the Clerks of the reſpective counties without any compenſation, unleſs they ſhould be put to expence, in which caſe they will only expect a reimburſement of their expences.

Meſſrs. Barber and Southwick offer to print the Laws and Journals at 26s. per ſheet each, and to publiſh in their paper ſuch *extra* work as the preſent State Printer

agreed to do, *gratis*, upon the ſame terms, and they offer to ſend the Laws and Journals to the Clerks of the different counties free of expence, or to ſome convenient and ſafe place, where the Clerks may readily receive them.

Meſſrs. Fry and Southwick, offer to print the Laws and Journals, at 32s. per ſheet, and to inſert ſuch proceedings in their paper as may be required free of expence, and will tranſmit the Laws and Journals for each county, with all poſſible diſpatch, free from expence.

The committee have determined to ſubmit theſe propoſals to the Legiſlature without expreſſing any opinion thereon.

Which report was accepted of by the Houſe: Thereupon,

Ordered, That the conſideration of the ſaid report be poſtponed until to-morrow.

Mr. Vandervoort, purſuant to notice by him for that purpoſe heretofore given, moved for and obtained leave to bring in a bill entitled "*An act to regulate the fiſhing at the narrows, in Kings and Richmond counties*," which was read a firſt time, and ordered a ſecond reading.

Mr. Comſtock, purſuant to notice by him for that purpoſe heretofore given, moved for, and obtained leave to bring in a bill entitled "*An act to repeal the act entitled, an act to regulate the practice of Phyſic and Surgery in this State*," which was read the firſt time, and ordered a ſecond reading.

Mr. Metcalfe, one of the members of this Houſe, from the county of of Montgomery, having repreſented to the Houſe, that buſineſs of a public nature required his attendance in the county of Saratoga, aſked for, and obtained leave of abſence for ten days.

Mr. Maſon from the committee of the whole Houſe on the bill entitled "*An act to encourage the writing a hiſtory of this State*," reported, that the committee had gone through the bill without amendment, which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read, and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

Then the Houſe adjourned until eleven o'clock to-morrow morning.

Tueſday, eleven o'clock, A. M. January 9th, 1798.

The bill entitled "*An act to repeal the act entitled, an act to regulate the practice of Phyſic and Surgery, in this State*," and the bill entitled "*An act to regulate the fiſhing at the Narrows, in Kings and Richmond counties*, were ſeverally read a ſecond time, and committed to a committee of the whole Houſe.

The engroſſed bill entitled "*An act to encourage the writing a hiſtory of this State*," was read a third time.

Reſolved That the bill do paſs.

Ordered, That Mr. Brown and Mr. Bruyn, deliver the bill to the Hon. the Senate, and requeſt their concurrence.

A petition of George Barnes, and others, of the county of Richmond, praying for the reaſons therein ſtated, that the bill entitled, "*An act to regulate the fiſhing at the Narrows, in Kings and Richmond counties*," may not paſs into a law, was read, and committed to a committee of the whole Houſe, when on the ſaid bill.

A petition of Samuel Owens, and a petition of George Ker, aliens, praying that they may be enabled by law to purchaſe and hold real eſtates within this State, were ſeve rally read, and committed to a committee of the whole Houſe, when on the bill entitled "*An act to enable certain perſons therein named, to purchaſe and hold real eſtates within this State.*"

A petition of Timothy Mills and others, of the town of Willſborough, in the county of Clinton, praying for a diviſion of the ſaid town, was read, and referred to Mr. Roſs, Mr. Barber and Mr. Reeve.

A petition of Moſes Buſh and others, praying that a law may be paſſed, to incotporate a company for the purpoſe of improving the road leading from Maſſachuſetts to the city of Albany, by the way of Lebanon Springs, was read, and referred to Mr. Jenkins, Mr. Weſt and Mr. Bird.

A petition of John Thurman, of the county of Waſhington, relative to the title to certain lands in ſaid county, was read, and referred to Mr. Roſs, Mr. Baldwin and Mr. Wendell.

Ordered, That the conſideration of the objections of the Hon. the Council of Reviſion, to the bill entitled "*An act to veſt certain powers in the freeholders and inhabitants of the villages of Troy and Lanſingburgh, and for other purpoſes therein mentioned*," be further poſtponed until the ſecond Monday in February next.

Ordered, That the conſideration of the report of the committee appointed to confer with a committee on the part of the Hon. the Senate, relative to the printing buſineſs of the State, as entered on the Journals of this Houſe of the 8th inſt. be further poſtponed until to-morrow.

Reſolved, That a committee be appointed to examine and report what amendments if any are neceſſary in the act for laying a duty of exciſe on ſtrong liquors, and for the better regulating of Inns and Taverns, and that Mr. Burr, Mr. M'Earlan, Mr. Miller, Mr. Pride and Mr. Bird, be of the ſaid committee.

The Houſe then reſolved itſelf into a committee of the whole Houſe, on the bill entitled "*An act to repeal the act entitled, an act to regulate the practice of Phyſic and Surgery in this State*," and after ſome time ſpent thereon, Mr. Speaker reſumed the chair, and Mr. Fairlie from the ſaid committee reported progreſs and obtained leave to ſit again.

Then the Houſe adjourned until eleven o'clock to-morrow morning.

Wedneſday, eleven o'clock A. M. January 10*th*, 1798.

A petition of Thomas Hun and others, praying a reviſion of the law for ſuppreſſing vice and immorality, was read, and referred to the committee to whom was referred that part of his Excellency the Governor's ſpeech, relative to the act reſpecting the Sabbath.

A petition of John Vail, relative to a demand againſt the forfeited eſtate of Jeremiah Traviſs with the papers accompanying the ſame; and a petition of Jacob Ryder relative to a demand againſt the forfeited eſtate of John Gidney, with the papers accompaying the ſame, were ſeverally read, and referred to the Comptroller, to report thereon.

A petition of Gabriel W. Ludlow and Cary Ludlow, praying to be relieved from the payment of a forfeited recognizance, together with the documents accompanying the ſame, were read, and referred to Mr. Williamſon, Mr. Clinton and Mr. Verplanck.

A petition of Iſaac Foot of the town of Sherburne in the county of Herkimer, praying compenſation for improvements made by him on certain lands ſituate at a place called Tuſcarora on the Suſquehannah river, and which have been ſold by the State, was read, and referred to Mr. M'Neal, Mr. W. Barker, and Mr. Coe.

A petition of D. Cortelyou, and others; a petition of William Cropſy, and others; and a petition of John Bennett, and others, relative to the ſhad and herring fiſhery at the Narrows, in Kings and Richmond counties, were ſeverally read, and committed to a committee of the whole Houſe, when on the bill entitled "*An act to regulate the fiſhing at the Narrows, in Kings and Richmond counties.*"

A memorial and petition of the inhabitants of the town of Sherburne in the county of Herkimer, relative to certain lots in the twenty townſhips, reſerved for promoting the goſpel and ſchools; was read, and referred to the committee appointed on the part of this Houſe, to confer with a committee on the part of the Hon. the Senate, relative to the ſchool and goſpel lots.

Mr. Arcularius, purſuant to notice by him for that purpoſe heretofore given, moved for and obtained leave to bring in a bill entitled "*An act, to authorize the Methodiſt Epiſcopal church, in the city of New-York, to elect three additional Truſtees*," which was read the firſt time, and ordered a ſecond reading.

The Houſe proceeded to the conſideration of the report of the committee appointed to confer with a committee of the Hon. the Senate, relative to the printing buſineſs of the ſeſſion: Thereupon,

Ordered, That the ſaid report be committed to a committee of the whole Houſe.

Copy of a reſolution of the Hon. the Senate, delivered by Mr. Graham and Mr. Haight was read, and is in the words following, viz.

Reſolved (if the Hon. the Aſſembly concur herein) That C. R. and G. Webſter of the city of Albany, be and they are hereby appointed Printers to this State, on the following terms and conditions, viz.

Firſt, That they ſhall annually print 400 copies of the Journals of the Senate and Aſſembly, and 500 copies of the Laws of each ſeſſion, on paper not inferior in

quality to the beſt on which the Laws of the laſt ſeſſion were printed, and of the ſize of the paper on which the Laws and Journals were printed, at the price of 5 dollars and 25 cents by the ſheet; and all *extra* work during the ſeſſion, and in the recefs of the Legiſlature, at the price of 2 dollars and 50 cents by the ſheet.

Second, That the Journals aforeſaid ſhall be printed and ready for delivery to the perſons entitled to them within one week after the final adjournment of the Legiſlature, and the laws aforeſaid within one month, from the day on which the law laſt paſſed, at every meeting of the Legiſlature, ſhall be delivered to them.

Third, That they ſhall alſo cauſe to be delivered daily to the clerks of the reſpective Houſes, ſix copies of the Journals of both Houſes, for the uſe of the members *gratis*.

Fourth, That they ſhall alſo print in their news papers ſuch copies or abſtracts of the Journals, of each branch of the Legiſlature as either may direct, and all proclamations of the Executive, and ſuch laws as the Legiſlature ſhall direct *gratis*.

Fifth, That they ſhall deliver or tranſmit by the firſt ſafe conveyance, to the clerks of the ſeveral counties in this State, as many of the Laws and Journals of both Houſes, as there are perſons in the reſpective counties entitled thereto, and who ſhall not then have received the ſame (except that in the Southern Diſtrict of the State, they ſhall be ſent to the office of the clerk of the city and county of New-York) to remain there until they are applied for by the perſons entitled to receive them.

A motion was made that this Houſe do concur with the Hon. the Senate in their ſaid reſolution, and the queſtion being put, it paſſed in the negative, in the manner following, viz.

For the Negative.

Mr. Adams,	Mr. Coe,	Mr. Horton,	Mr. T. Smith,
Mr. Areulavius,	Mr. Comſtock,	Mr. Howard,	Mr. Snell,
Mr. Baldwin,	Mr. Cornwell,	Mr. Hunt,	Mr. Storm,
Mr. Barber,	Mr. Denning,	Mr. Jenkins,	Mr. Teed,
Mr. W. Barker,	Mr. J. A. De Witt,	Mr. Lee,	Mr. Ten Broeck,
Mr. Bevier,	Mr. J. C. De Witt,	Mr. M'Cord,	Mr. Iſrael Thompſon,
Mr. Boyd,	Mr. Fairlie,	Mr. Micheau,	Mr. Towner,
Mr. Bruyn,	Mr. Gregory,	Mr. Miller,	Mr. Tyler,
Mr. Burr,	Mr. Halſey,	Mr. Mitchell,	Mr. Van Alſtyne,
Mr. Burling,	Mr. Hatfield,	Mr. Pearſall,	Mr. Voſburgh
Mr. Burt,	Mr. Heermance,	Mr. Reeve,	Mr. Warner,
Mr. Carman,	Mr. Hildrith,	Mr. Robins,	Mr. Wheeler,
Mr. Clark,	Mr. J. Hogeboom	Mr. Skidmore,	Mr. Wood. 57
Mr. Clifft,	Mr. K. Hogeboom,	Mr. A. Smith,	
Mr. Clinton,	Mr. Holly,		

For the Affirmative.

Mr. J. Barker,	Mr. Fort,	Mr. M'Neal,	Mr. P. I. Schuyler,
Mr. T. Barker,	Mr. Gettman,	Mr. Moſſet,	Mr. P. P. Schuyler,
Mr. Benton,	Mr. Gray,	Mr. Morſe,	Mr. J. Smith,
Mr. Bowen,	Mr. Hall,	Mr. Ogden,	Mr. N. Smith,
Mr Bowman,	Mr. Henry,	Mr. Potter,	Mr. Thomas,
Mr Brown,	Mr. Hoag,	Mr. Prince,	Mr. Jeſſe Thompſon,
Mr. Campbell,	Mr. Holt,	Mr. Pride,	Mr. Joel Thompſon,
Mr. Coryell,	Mr. Kane,	Mr. Rice,	Mr. Wendell,
Mr. Deitz,	Mr. Maſon,	Mr. Roſs,	Mr. Weſt,
Mr. Dewey,	Mr. M'Farlan,	Mr. Savage,	Mr. Williamſon. 40

Thereupon Reſolved, That this Houſe do not concur with the Hon. the Senate in their ſaid reſolution.

Ordered, That Mr. Bruyn and Mr. Burr, deliver a copy of the preceding reſolution to the Hon. the Senate.

The Houſe then reſolved itſelf into a committee of the whole Houſe, on the report of the committee (appointed to confer with a committee on the part of the Hon. the Senate) relative to the Printing-Buſineſs of the ſeſſion, and after ſome time ſpent thereon, Mr. Speaker reſumed the chair, and Mr. Mitchell, from the ſaid committee reported, the proceedings of the committee to have been as follows:—

That Mr. Wood made a motion, that the committee ſhould agree to a reſolution in the words following, viz.

Reſolved (if the Hon. the Senate concur herein) That Meſſieurs Barber and Southwick, be appointed Printers to this State, on the following terms:

Firſt, They ſhall annually print 400 copies of the Journals of the Senate and Aſſembly, and 500 copies of the laws, on paper not inferior in quality to that on which the laws paſſed the laſt ſeſſion were printed, and of the uſual ſize of the paper on which the Laws and Journals have been heretofore printed, at 3 dollars and 25 cents per ſheet, and all extra work during the ſeſſion, and in the receſs of the Legiſlature, at 2 dollars and 50 cents per ſheet.

Second, That the Journals ſhall be printed and ready for delivery within one week after the final adjournment of the Legiſlature, and the Laws within one month from the day on which the law laſt paſſed at every meeting of the Legiſlature ſhall be delivered to them by the Secretary of this State.

Third, That they ſhall alſo cauſe to be delivered daily to the Clerks of the reſpective Houſes, ſix copies of the Journals of both Houſes for the uſe of the members without compenſation.

Fourth, That they ſhall print in their news-paper ſuch copies and abſtracts of the Journals of each branch of the Legiſlature as either may direct, and all proclamations of the Executive, and ſuch laws as the Legiſlature may direct, without compenſation.

Fifth, That they ſhall deliver, or tranſmit by the firſt ſafe conveyance, to the clerks of the ſeveral counties in this State, as many of the Laws, and Journals of both Houſes, as there are perſons in the reſpective counties entitled thereto, and who ſhall not then have received the ſame (except that in the Southern Diſtrict of the State, they ſhall be ſent to the office of the clerk of the city and county of New-York) to remain there until they are applied for by the perſons entitled to receive them.

That Mr. Maſon made a motion as an amendment, that the names of Barber and Southwick in the ſaid reſolution be ſtruck out, and the names of C. R. and G. Webſter inſerted, that debates were had thereon, and the queſtion being put, whether the committee did agree to the amendment propoſed by the motion of Mr. Maſon, it paſſed in the negative in the manner following, viz.

For the Negative.

Mr. Adams,	Mr. Clinton,	Mr. Horton,	Mr. A. Smith,
Mr. Arcularius,	Mr. Coe,	Mr. Hovey,	Mr. T. Smith,
Mr. Baldwin,	Mr. Comſtock,	Mr. Howard,	Mr. Snell,
Mr. Barber,	Mr. De la Montagnie,	Mr. Hunt,	Mr. Storm,
Mr. W. Barker,	Mr. Denning,	Mr. Jenkins,	Mr. Teed,
Mr. Bevier,	Mr. J. A. De Witt,	Mr. Lee,	Mr. Ten Broeck,
Mr. Boyd,	Mr. J. C. De Witt,	Mr. M'Cord,	Mr. Jeſſe Thompſon,
Mr. Bruyn,	Mr. Fairlie,	Mr. Micheau,	Mr. Towner,
Mr. Burr,	Mr. Halſey,	Mr. Miller,	Mr. Tyler,
Mr. Burling,	Mr. Hatfield,	Mr. Pearſall,	Mr. Voſburgh,
Mr. Burt,	Mr. Hildrith,	Mr. Reeve,	Mr. Warner,
Mr. Carman,	Mr. J. Hogeboom,	Mr. Robins,	Mr. Wheeler,
Mr. Clark,	Mr. K. Hogeboom,	Mr. Savage,	Mr. Wood. 55
Mr. Clifft,	Mr. Holly,	Mr. Skidmore,	

For the Affirmative.

Mr. J. Barker,	Mr. Foot,	Mr. M'Farlan,	Mr. P. P. Schuyler,
Mr. T. Barker,	Mr. Fort,	Mr. M'Neal,	Mr. J. Smith,
Mr. Benton,	Mr. Gettman,	Mr. Moſſet,	Mr. N. Smith,
Mr. Bowen,	Mr. Gray,	Mr. Morſe,	Mr. Speaker,
Mr. Bowman,	Mr. Hall,	Mr. Ogden,	Mr. Thomas,
Mr. Brown,	Mr. Heermance,	Mr. Potter,	Mr. Joel Thompſon,
Mr. Campbell,	Mr. Henry,	Mr. Prince,	Mr. Vandervoort,
Mr. Cornwell,	Mr. Hoag,	Mr. Pride,	Mr. Van Alſtyne,
Mr. Coryell,	Mr. Holt,	Mr. Rice,	Mr. Wendell,
Mr. Deitz,	Mr. Kane,	Mr. Roſs,	Mr. Weſt,
Mr. Dewey,	Mr. Maſon,	Mr. P. I. Schuyler,	Mr. Williamſon. 44

That Mr. Brown made a motion, that a condition be inſerted at the end of the ſaid reſolution in the words following, to wit:

"Upon condition, that they enter into bonds with ſufficient ſureties to the people of "this State, before one of the Judges of the Supreme Court, for the faithful perform- "ance of the duties required of them by this reſolution, in the penal ſum of "Dollars."

That debates were had thereon, and the queſtion being put, whether the committee did agree thereto, it was carried in the affirmative, in the manner following, viz.

For the Affirmative.

Mr. Baldwin,	Mr. Dewey,	Mr. Holt,	Mr. P. I. Schuyler,
Mr. T. Barker,	Mr. Fairlie,	Mr. Horton,	Mr. P. P. Schuyler,
Mr. W. Barker,	Mr. Foot,	Mr. Hovey,	Mr. J. Smith,
Mr. Beaton,	Mr. Fort,	Mr. Maſon,	Mr. Snell,
Mr. Bowen,	Mr. Gettman,	Mr. M'Farlan,	Mr. Speaker,
Mr. Brown,	Mr. Gregory,	Mr. M'Neal,	Mr. Thomas,
Mr. Campbell,	Mr. Hall,	Mr. Morſe,	Mr. Jeſſe Thompſon,
Mr. Clark,	Mr. Heermance,	Mr. Ogden,	Mr. Joel Thompſon,
Mr. Clinton,	Mr. Henry,	Mr. Potter,	Mr. Van Alſtyne,
Mr. Cornwell,	Mr. Hildrith,	Mr. Prince,	Mr. Voſburgh,
Mr. Coryell,	Mr. Hoag,	Mr. Pride,	Mr. Wendell,
Mr. Deitz,	Mr. J. Hogeboom,	Mr. Roſa,	Mr. Weſt. 50
Mr. J. A. De Witt,	Mr. K. Hogeboom,		

For the Negative.

Mr. Adams,	Mr. Clifft,	Mr. Jenkins,	Mr. A. Smith,
Mr. Arcularius,	Mr. Coe,	Mr. Kane,	Mr. T. Smith,
Mr. Barber,	Mr. Comſtock,	Mr. Lee,	Mr. Storm,
Mr. J. Barker,	Mr. De la Montagnie,	Mr. M'Cord,	Mr. Teed,
Mr. Bevier,	Mr. Denning,	Mr. Micheau,	Mr. Ten Broeck,
Mr. Bowman,	Mr. J. C. De Witt,	Mr. Miller,	Mr. Iſrael Thompſon,
Mr. Boyd,	Mr. Gray,	Mr. Moffet,	Mr. Towner,
Mr. Bruyn,	Mr. Halſey,	Mr. Reeve,	Mr. Tyler,
Mr. Burr,	Mr. Hatfield,	Mr. Rice,	Mr. Warner,
Mr. Burling,	Mr. Holly,	Mr. Robins,	Mr. Wheeler,
Mr. Burt,	Mr. Howard,	Mr. Savage,	Mr. Williamſon,
Mr. Carman,	Mr. Hunt,	Mr. Skidmore,	Mr. Wood. 48

That the queſtion being put on the ſaid reſolution with the amendment, it was carried in the affirmative.

That in proceeding further, Mr. Brown made a motion, that the blank in the ſaid reſolution ſhould be filled up with the words "two thouſand."

That Mr. Howard made a motion, that the ſaid blank ſhould be filled up with the words "five hundred."

That Mr. Ogden made a motion, that the ſaid blank ſhould be filled up with the words "one thouſand."

That the queſtion being put, whether the committee did agree to the ſaid motion of Mr. Brown, it paſſed in the negative.

That the queſtion being put, whether the committee did agree to the ſaid motion of Mr. Ogden, it was carried in the affirmative. Which he was directed to report to the Houſe; and he read the report in his place, and delivered the ſame in at the table, where it was again read, and agreed to by Houſe.

Ordered, That the ſaid reſolution and amendment be engroſſed.

A meſſage from the Hon. the Council of Reviſion, tranſmitted to this Houſe by the Hon. the Senate, was read, that it does not appear improper to the Council, that the bill entitled, "*An Act making Proviſion for the more due and convenient conducting public Proſecutions at the Courts of Oyer and Terminer and Gaol Delivery, and General Seſſions of the Peace*," ſhould become a law of this State.

A meſſage from his Excellency the Governor, delivered by his private Secretary, was read, and is in the words following, viz.

GENTLEMEN,

I have the honor of laying before you a letter of the 14th ult. to me from the Attorney-General. It relates to a ſubject, which appears to me to be intereſting, both to the honor and intereſt of the State.

JOHN JAY.

Albany, 10*th January*, 1798.

The ſaid letter was read and is in the words following, viz.

New-York, December 14th, 1797.

SIR,

I conceive it my duty to ſtate to your Excellency the ſituation of and procedings in the two ſuits inſtituted againſt Mary Lindſley, and others; and againſt Abraham Miller, by Samuel Fowler and Jonathan Lyman, citizens of the State of Maſſachuſetts, for the recovery of lands, ſituate within the counties of Steuben and Tioga, in this State, to which the plaintiffs claim title by virtue of, and under grants from the State of Connecticut.

Theſe ſuits were commenced in the Circuit Court of the United States for the Diſtrict of Connecticut. A judgment by default was obtained in the ſuit againſt Abraham Miller; it has been waved, and a plea accepted. Pleas to the juriſdiction of the Court are now interpoſed in both ſuits, averring that the lands in controverſy are *in fact* within the State of New-York, and that the Circuit Court of the United States for the Diſtrict of New-York, and the Courts of the State of New-York, have excluſive juriſdiction of the ſubject matter of controverſy. The truth of this plea is conteſted by the plaintiffs, and iſſue is joined thereon.

For the purpoſe of trying this iſſue, Colonel Hamilton and myſelf attended at the Circuit Court of the United States for the Diſtrict of Connecticut, held at Hartford, on the eighteenth day of September laſt. The great object of the Plaintiffs appeared to be to obtain a trial by a jury compoſed of the citizens of the State of Connecticut. To prevent a meaſure ſo adverſe to the unbiaſſed adminiſtration of juſtice, and ſo hazardous to the intereſts of this State, we thought proper to challenge the array of the jury, and aſſigned two reaſons for cauſes of ſuch challenge: 1. That the deputy marſhal, who had arrayed the pannel of the jury, was a citizen, inhabitant, and freeman of the State of Connecticut. 2. That he was a claimant under the State of Connecticut, of part of the lands contained in the above mentioned grant.

Theſe cauſes of challenge were ſeverally inſiſted on as valid, and after a very lengthy argument, the Court thought proper to diſallow the firſt, and to admit the laſt. By this deciſion the trial of the cauſe in the State of Connecticut is merely poſtponed, and if the judgment of the Court which at that time preſided, ſhould be hereafter confirmed, a Connecticut jury will be competent to the trial of the queſtion. Of the legality of this deciſion the counſel aſſociated with me, and myſelf, entertain, as we think, well founded doubts; but on a queſtion ſo extremely important to the intereſt of this State, a confidence in our own judgment ought not to induce us to hazard the renewal of a diſcuſſion, which may lead in the event of a concurrence of opinion by the next Court, to a prejudiced hearing of the preſent controverſy.

The principal reaſon aſſigned by the Court for diſallowing the firſt cauſe of challenge, was, that the laws of the United States had not made any proviſion for the trial of a cauſe ſituated as this is, except by a jury of the Diſtrict from whoſe Court the proceſs had iſſued. If no ſuch proviſion really does exiſt, the propriety of one is manifeſt, and the intereſts of this State are ſo deeply implicated in the ſubject, as to entitle it to the immediate attention of its government.

In all controverſies ſimilar to the preſent, it muſt be eſſential to a fair deciſion that the Supreme Court of the United States ſhould poſſeſs the power of ordering the removal of the proceedings from the reſpective Circuit Courts in the ſeveral Diſtricts, into the Supreme Court, to the end that a jury may be ſummoned to try the cauſe from a Diſtrict of the United States not intereſted in the controverſy; or that ſome other adequate proviſion ſhould be made for a trial, excluſive of the jury of either State intereſted or concerned. A repreſentation of this ſubject on the part of our government in ſuch a mode as ſhall be deemed the moſt eligible, to the Congreſs of the United States, it is preſumed from its obvious equity and propriety, would certainly produce the deſired effect, and thereby enſure to this State a juſt and impartial deciſion of the preſent queſtion.

The expences attending the defence of theſe ſuits have already been, and will continue to be, very conſiderable. From the zeal of the oppoſite party, we are to calculate on every poſſible exertion to promote their ſucceſs. They have employed at very great expence, counſel of the firſt repute, and they appear to proſecute their claim with great ardor and much apparent confidence.

From theſe conſiderations I judge that the charges in the further defence of this buſineſs will be rather enhanced than diminiſhed; and I ſubmit to your Excellency the propriety of ſome legiſlative proviſion, ſpecially defining the allowance to witneſſes. I have hitherto nearly confined myſelf to the payment of their actual expences: they claim an additional allowance, and it appears to me juſt that a reaſonable one ſhould be made to them.

I have the honor to be,
Your Excellency's moſt obedient ſervant,
JOSIAH OGDEN HOFFMAN.

Ordered, That the meſſage of his Excellency the Governor, together with the letter accompanying the ſame, be committed to a committee of the whole Houſe.

The Attorney-General to whom was referred the petition of Elizabeth Van Courtlandt, reported:—

That it appears by the ſaid petition, that William R. Van Courtlandt, the huſband of the petitioner, now is, and for a long time paſt has been inſane—That by an act of the Legiſlature, paſſed on the 23d day of April, 1785, all his eſtate was veſted in Peter Schermerhorn, and Solomon Simpſon, in truſt *for the payment of his debts*—That by compoſition and otherwiſe, the creditors of the ſaid William R. Van Courtlandt have been ſatisfied for their reſpective demands, by reaſon of which, the petitioner has been enabled to take poſſeſſion of a farm, *in part*, the property of her huſband, and that the income of the ſame is inadequate to the ſupport of her huſband and her three children. She therefore prays a law may be paſſed, authorizing her to diſpoſe of the whole or ſuch parts of the property of her ſaid huſband, as may be requiſite for his maintenance, and for the ſupport of her children.

On this ſtatement of facts, the Attorney-General ſubmits the following remarks:

By the law of the land, the cuſtody of inſane perſons and the care of their eſtates, are excluſively committed to the Court of Chancery, and the lands and tenements of ſuch inſane perſons, are in no wiſe to be aliened—the profits thereof only are allotted for their ſupport, and are to be applied to that purpoſe under the direction of the Court of Chancery. This humane proviſion of law is ſanctioned by its antiquity; and its uninterrupted exiſtence affords ſtrong evidence of its juſtice and propriety.—If the petitioner was permitted to diſpoſe of the real eſtate of her huſband, the innonovation of this principle would not only form a precedent of dangerous conſequences, but might deprive *him* of the ſole means, intended to inſure to him, during his preſent unfortunate ſituation, a comfortable and competent livelihood.

During the life of the huſband, the law conſiders the property, as remaining *in him;* and every diſpoſition of it ought to be made with a view to his ſubſiſtence and *eventual* benefit: The ſupport of the wife and children form but a ſecondary conſideration. Theſe remarks acquire additional force, by the ſtatement of the petitioner, that her children will ſoon be of age, at which period, they muſt be conſidered as competent by their own labor and induſtry, to maintain themſelves.

For theſe reaſons, the Attorney-General is of opinion, that any Legiſlative interference in the premiſes, would be inexpedient.

All which is reſpectfully ſubmitted.
JOSIAH OGDEN HOFFMAN.

January 9, 1798.

Ordered, That the ſaid report and petition be referred to Mr. Clinton, Mr. Bird and Mr. Fairlie.

The Attorney-General, to whom was referred the petition of Peter Schermerhorn and Solomon Simpſon, reported:—

By an act of the Legiſlature, paſſed the 23d day of April, 1785, the eſtate of William R. Van Courtlandt was veſted in the petitioners, *in truſt*, for the payment of his debts.

The petitioners ſtate, that they have executed this truſt, and pray that a committee may be appointed to examine their accounts, and they by law be relieved from a bond of twelve hundred pounds, directed in and by the above act, to be executed by them to the Chancellor of the State, for the faithful execution of the ſaid truſt.

It is ſufficient to ſtate, that the Court of Chancery is the *known* and *legal* tribunal to decide on queſtions of this nature, and poſſeſs competent power to grant the

propoſed relief to the petitioners. Any interference therefore by the Legiſlature, would, in the opinion of the Attorney-General, be inexpedient and improper.

All of which is reſpectfully ſubmitted.

JOSIAH OGDEN HOFFMAN.

Albany, 9th January, 1798.

Ordered, That the ſaid report and petition be referred to Mr. Clinton, Mr. Bird, and Mr. Fairlie.

Ordered, That Mr. Benton, Mr. Carman, Mr. Gregory and Mr. Kane, be added to the committee, to whom are referred the petition of Nehemiah Mead, and others; and the petition of John Thurman.

Mr. Speaker laid before the Houſe, ſchedules of ſchools in the county of Waſhington, tranſmitted to him by the Secretary of this State.

Ordered, That the ſaid ſchedules be depoſited with the Clerk of this Houſe, for the inſpection of the members thereof.

Then the Houſe adjourned until 11 o'clock to-morrow morning.

Thurſday, eleven o'clock, A. M. January 11th, 1798.

The bill entitled "*An act to authorize the Methodiſt Epiſcopal Church, in the city of New-York, to elect three additional Truſtees,*" was read a ſecond time, and committed to a committee of the whole Houſe.

The engroſſed concurrent reſolution relative to the appointment of Meſſrs. Barber and Southwick to be State Printers, as entered on the Journals yeſterday, was read, and agreed to by the Houſe.

Ordered, That Mr. Bruyn and Mr. Burr deliver the ſame to the Hon. the Senate.

A meſſage from the Hon. the Senate by Mr. Haight and Mr. Hatfield, with the bill therein mentioned was read, that the Senate have paſſed the bill entitled "*An act concerning the Charter to the Miniſter, Elders and Deacons, of the Reformed Proteſtant Dutch Church, in the city of Albany,*" to which they requeſt the concurrence of this Houſe; the ſaid bill was read a firſt time, and ordered a ſecond reading.

A petition of Ralph Willſon, and others, inhabitants reſiding between the Seneca and Cayuga Lakes, praying to be erected into a ſaperate county by the name of Seneca, was read, and referred to Mr. Halley, Mr. Tyler and Mr. Joel Thompſon.

A petition of Henry Ten Eyck, late a Captain in Colonel Webb's Regiment, praying a grant of bounty lands for his ſervices, was read, and referred to Mr. Voſburgh, Mr. Ogden and Mr. Prince.

A petition of Daniel Latham, and others, praying for an excluſive right to erect a draw-bridge, and eſtabliſh a ferry in the town of Pelham, in Weſtcheſter county, was read, and referred to the members attending in this Houſe, from the counties of Weſtcheſter and Queens.

A petition of Herman Behrens late of the city of Bremen, now of the city of New-York, praying that the right of the people of this State to the real eſtate of the late Albrecht Behrens, late of the city of New-York, ſugar refiner, who is alledged to have died inteſtate, may be granted to ſuch heirs as would in the courſe of deſcent be by law entitled to the ſame, was read and referred to the Attorney-General to report thereon.

Mr. Burr, with the unanimous conſent of the Houſe, obtained leave to bring in a bill entitled "*An act conſtituting a Commiſſioner in the city of New-York, to do certain acts appertaining to the office of a Judge, of the Supreme Court,*" which was read the firſt time, and ordered a ſecond reading.

Ordered, That the Clerk of this Houſe cauſe one hundred and fifty copies of the ſaid bill to be printed for the uſe of the members of this Houſe.

Reſolved, That this Houſe will immediately proceed to nominate a Senator to repreſent this State in the Senate of the Congreſs of the United States of America, in the place of the Hon. Philip Schuyler, who has reſigned that appointment: Thereupon

The Houſe proceeded openly to nominate a perſon for that purpoſe, and each of the members preſent nominated a perſon as follows, viz.

	John S. Hobart.	John Addison.	James Watson.	John Taylor.	John Armstrong.
Mr. Adams,	1				
Mr. Arcularius,		1			
Mr. Baldwin,		do			
Mr. Barber,		do			
Mr. J. Barker,	do				
Mr. T. Barker,	do				
Mr. W. Barker,		do			
Mr. Benton,	do				
Mr. Bird,	do				
Mr. Bevier,		do			
Mr. Bowen,	do				
Mr. Bowman,	do				
Mr. Brown,	do				
Mr. Bruyn,	do				
Mr. Burr,		do			
Mr. Burling,		do			
Mr. Burt,		do			
Mr. Campbell,	do				
Mr. Carman,			1		
Mr. Clark,		do			
Mr. Clift,	do				
Mr. Clinton,				1	
Mr. Coe,		do			
Mr. Comstock,		do			
Mr. Cornwell,	do				
Mr. Coryell,	do				
Mr. Deitz,	do				
Mr. De la Montaguie,		do			
Mr. Denning,	do				
Mr. J. A. De Witt,	do				
Mr. J. C. De Witt,		do			
Mr. Dewey,	do				
Mr. Fairlie,	do				
Mr. Foot,	do				
Mr. Fort,	do				
Mr. Gettman,	do				
Mr. Gray,	do				
Mr. Gregory,	do				
Mr. Hall,	do				
Mr. Halsey,	do				
Mr. Hatfield,		do			
Mr. Heermance,	do				
Mr. Henry,	do				
Mr. Hildrith,	do				
Mr. Hoag,	do				
Mr. J. Hogeboom,				1	
Mr. K. Hogeboom,				do	
Mr. Holt,	do				
Mr. Horton,	do				
Mr. Hovey,	do				
Mr. Howard,	do				
Mr. Hunt,		1			
Mr. Jenkins,				1	
Mr. Kane,	1				
Mr. Lee,	do				
Mr. Mason,	do				
Mr. M'Cord,		do			
Mr. M'Farlan,	do				
Mr. M'Neal,	do				
Mr. Micheau,	do				
Mr. Miller,	do				
Mr. Mitchell,	do				
Mr. Moffet,	do				
Mr. Morse,	do				
Mr. Ogden,	do				
Mr. Pearsall,	do				
Mr. Potter,	do				
Mr. Prince,	do				
Mr. Pride,	do				
Mr. Reeve,	do				
Mr. Rice,	do				
Mr. Robins,		do			
Mr. Ross,	do				
Mr. Savage,	do				
Mr. P. I. Schuyler,	do				
Mr. P. P. Schuyler,	do				
Mr. Skidmore,		do			
Mr. A. Smith,			do		
Mr. T. Smith,	do				
Mr. J. Smith,	do				
Mr. N. Smith,	do				
Mr. Snell,	do				
Mr. Storm,		do			
Mr. Teed,	do				
Mr. Ten Broeck,		do			
Mr. Thomas,	do				
Mr. Jesse Thompson,	do				
Mr. I. Thompson,		do			
Mr. Joel Thompson,	do				
Mr. Towner,	do				
Mr. Tyler,	do				
Mr. Vandervoort,	do				
Mr. Van Alstyne,	do				
Mr. Verplanck,	do				
Mr. Vosburgh,		do			
Mr. Warner,		do			
Mr. Wendell,	do				
Mr. West,	do				
Mr. Wheeler,	do				
Mr. Williamson,	do				
Mr. Wood.	do				
	72	23	2	2	2

Thereupon Resolved, That the Hon. John Sloss Hobart be and he is hereby nominated, on the part of this House, a Senator to represent this State in the Senate of the Congress of the United States of America, in the place of the Hon. Philip Schuyler, who has resigned that appointment.

A copy of a resolution of the Hon. the Senate, delivered by Mr. Hatfield and Mr. Hitchcock, was read, that the Senate will immediately meet the Hon. the Assembly at such place as they shall appoint to compare their nomination of a Senator, to represent this State in the Senate of the Congress of the United States of America.

Reſolved, That this Houſe will immediately meet the Hon. the Senate in the Aſſembly-Chamber to compare their nomination of a Senator to repreſent this State in the Senate of theCongreſs of the United States of America.

Ordered, That Mr. Burr and Mr. Burling, deliver a copy of the preceding reſolution to the Hon. the Senate.

The Hon. the Senate accordingly attended in the Aſſembly-Chamber, and having withdrawn, Mr. Speaker informed the Houſe, that on comparing the reſpective nominations of the Senate and Aſſembly, they were found to agree in the name of John Sloſs Hobart, Eſquire : Thereupon,

Reſolved, That the Hon. John Sloſs Hobart be, and he is hereby duly nominated and appointed, a Senator to repreſent this State, in the Senate of the Congreſs of the United States of America, in the room of the Hon. Philip Schuyler, who has reſigned that appointment.

Mr. Williamſon, from the committee to whom was referred the report of the Surveyor-General, together with a map and plan of the city of Oſwego, reported, that the committee have examined the ſaid map and plan exhibited by the Surveyor-General, and have conſidered the reaſons offered by him in his report in favour of the alterations propoſed by his plan ; and are of opinion, that the ſaid plan poſſeſſes many advantages for convenience, and the ſecuring the health of the inhabitants, which from a want of knowledge of the local ſituation of Oſwego, ſeems not to have been ſufficiently contemplated in the bill paſſed laſt ſeſſion ; that the committee had directed him to move for leave to bring in a bill, entitled, "*An Act to amend the Act, entitled, An Act for laying out Lot Number One, in the town of Hannibal, in the county of Onondaga, into city Lots, and for other purpoſes therein mentioned ;*" leave being given, Mr. Williamſon brought in the ſaid bill, which was read the firſt time, and ordered a ſecond reading.

Mr. M'Farlan, by the unanimous conſent of the Houſe, obtained leave to bring in a bill, entitled, "*An Act for the relief of Anna Breadbake*," which was read the firſt time, and ordered a ſecond reading.

The Houſe then reſolved itſelf into a committee of the whole Houſe, on the bill, entitled, "*An Act to confirm the Partition of certain Lands therein mentioned*," and after ſome time ſpent thereon, Mr. Speaker reſumed the chair, and Mr. Jenkins from the ſaid committee reported, that the committee had gone through the ſaid bill without amendment, which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read, and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

Mr. Wood, purſuant to notice by him for that purpoſe heretofore given, moved for, and obtained leave to bring in a bill, entitled "*An Act for the better ſecuring of the Goods and Effects of Perſons dying inteſtate*," which was read the firſt time, and ordered a ſecond reading.

Then the Houſe adjourned until eleven o'clock to-morrow morning.

Friday, eleven o'clock, A. M. January 12th, 1798.

The engroſſed bill, entitled "*An Act for confirming the Partition of certain Lands therein mentioned*," was read the third time.

Reſolved, That the bill do paſs.

Ordered, That Mr. Burling and Mr. Burt, deliver the bill to the Hon. the Senate, and requeſt their concurrence.

The bill entitled, "*An Act concerning the Charter to the Miniſter, Elders and Deacons of the Reformed Proteſtant Dutch Church in the City of Albany ;*" the bill entitled, "*An Act for the better ſecuring of the Goods and Effects of Perſons dying inteſtate ;*" the bill entitled, "*An act for the relief of Anna Breadbake ;*" the bill entitled, "*An act to amend an act, entitled an act, for laying out Lot Number One, in the Town of Hannibal, in the County of Onondaga, into City Lots, and for other purpoſes therein mentioned ;*" and the bill entitled, "*An act conſtituting a Commiſſioner in the City of New-York, to do certain acts appertaining to the Office of a Judge of the Supreme Court ; and alſo, providing that the Coſts and Judgment-Rolls ſhall be reſpectively taxed, and ſigned by a Clerk of ſaid Court*," were ſeverally read a ſecond time, and committed to a committee of the whole Houſe.

The Surveyor-General, to whom were referred the ſeveral petitions of Silas Wood, John Lawrance and John Nicholſon, reported :—

That an act was paſſed by the Legiſlature, on the 17th day of March laſt, intending to provide for caſes ſuch as ſtated by the petitioners, but that it has proved to be incompetent, and attended with embarraſſments that have prevented its execution. From a ſurvey made in conſequence of this act, it appears, that there is not a quantity of land left unſold by the late commiſſioners of forfeitures, ſufficient to compenſate for what had been improperly ſold by them in the fourth allotment of the Royal Grant; beſides, no mode is pointed out by which the individuals entitled to the proviſion of the law, are to be aſcertained. Under theſe circumſtances, application was made to the Attorney-General for advice. His opinion was, that further Legiſlative interpoſition would be required.

The map and other papers accompanying this report, will more particularly explain the caſe under conſideration, and ſuggeſt what is neceſſary to be done.

It is proper alſo to mention, that no proviſion is made for reimburſing the expences of the ſurvey that has been made of the premiſes.

All which is reſpectfully ſubmitted.

SIMEON DEWITT, *Surveyor-General.*

12th January, 1798.

Ordered, That the ſaid report with the papers accompanying the ſame, be referred to Mr. Benton, Mr. Burling, and Mr. Denning.

Mr. Boyd, from the committee to whom were referred the ſeveral petitions of the pilots of the port of New-York reported, that the act entitled, "*An act to amend an act, entitled an act for the regulation of Pilots and Pilotage for the Port of New-York, and for other purpoſes therein mentioned*," will expire by its own limitation, the 25th day of March next; that the committee have prepared a new bill on the ſubject, embracing the proviſions contained in the ſaid act, and in an act paſſed the 8th of February, 1794, and have directed him to move for leave to bring in the ſame. Leave being given accordingly, Mr. Boyd brought in the ſaid bill, entitled, "*An act for the regulation of Pilots and Pilotage for the Port of New-York*," which was read the firſt time, and ordered a ſecond reading.

Mr. Roſs, from the committee to whom was referred the petition of Timothy Mills, and others, reported in favor of the petitioners and obtained leave to bring in a bill entitled, "*An act for dividing the town of Willſborough, in the county of Clinton*," which was read the firſt time, and ordered a ſecond reading.

Mr. Vandervoort, from the committee to whom was referred the petition of the Truſtees of Eraſmus Hall Academy, in Kings county, reported, that in the opinion of the committee the prayer thereof ought not to be granted; which report was agreed to by the Houſe: Thereupon

Reſolved, That the prayer of the petitioners be not granted.

Mr. Tyler, from the committee of the whole Houſe on the bill entitled, "*An act to authorize the Methodiſt Epiſcopal Church in the city of New-York, to elect three additional Truſtees*," reported that the committee had gone through the ſaid bill without amendment, which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read, and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

Mr. Carman, from the committee of the whole Houſe on the bill, entitled "*An act concerning the Charter to the Miniſter, Elders and Deacons of the Reformed Proteſtant Dutch Church, in the city of Albany*, reported progreſs: Thereupon

Ordered, That the committee of the whole Houſe be diſcharged from the further conſideration of the ſaid bill, and that the ſame be referred to Mr. P. P. Schuyler, Mr. Storm, Mr. Bruyn, Mr. Heermance and Mr. Clinton.

Mr. De la Montagnie, from the committee of the whole Houſe on the bill entitled "*An act for the relief of Anna Breadbake*," reported that the committee had gone through the ſaid bill without amendment, which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read, and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

A copy of a reſolution of the Hon. the Senate, delivered by Mr. Hitchcock and Mr. Jones, was read, that the Senate do not concur with this Houſe in their reſolution, appointing Barber and Southwick, State Printers.

A copy of a reſolution of the Hon. the Senate alſo delivered by Mr. Hitchcock and Mr. Jones, was read, and is in the words following, to wit:

Reſolved (if the Hon. the Aſſembly concur herein) That Meſſrs. Charles R. and G. Webſter be and hereby are appointed Printers to this State—That the Comptroller be and he hereby is authorized and directed to contract with them in behalf of the State as to the price, time and manner of executing the requiſite printing buſineſs; and that the Legiſlature will make proviſion for the payment thereof.

Reſolved, That this Houſe do not concur with the Hon. the Senate in their ſaid preceding reſolution.

Ordered, That Mr. Burling and Mr. Burt deliver a copy of the preceding reſolution to the Hon. the Senate.

Mr. Kane, from the committee of the whole Houſe on the bill entitled "*An act for the better Securing of the goods and effects of perſons dying inteſtate*," reported progreſs, and obtained leave to ſit again.

Ordered, That the Clerk of this Houſe cauſe one hundred and fifty copies of the ſaid bill to be printed, for the uſe of the members of this Houſe.

Mr. M'Farlan having repreſented to the Houſe, that buſineſs of a public nature required his immediate attendance in the county of Montgomery, requeſted and obtained leave of abſence for eight days.

Mr. Verplanck, from the committee of the whole Houſe on the bill entitled "*An act to amend the act entitled, an act for laying out lot number one, in the town of Hannibal, in the county of Onondaga, into city lots, and for other purpoſes therein mentioned*," reported progreſs, and obtained leave to ſit again.

Mr. Jenkins, from the committee of the whole Houſe, on the bill entitled, "*An act conſtituting a Commiſſioner in the city of New-York, to do certain acts appertaining to the office of a Judge of the Supreme Court; and alſo providing, that the coſts and judgment-rolls ſhall be reſpectively taxed and ſigned by a Clerk of the ſaid Court*," reported progreſs, and obtained leave to ſit again.

Then the Houſe adjourned until eleven o'clock to-morrow morning.

Saturday, eleven o'clock A. M. January 13th, 1798.

The bill entitled "*An acts for dividing the town of Willſborough, in the county of Clinton*," and the bill entitled "*An act for the regulation of pilots and pilotage, for the port of New-York*," were ſeverally read the ſecond time and, committed to a committee of the whole Houſe.

A petition of Ward Hunt, of the city of New-York, ſtating, that he purchaſed of the commiſſioners of forfeitures of the Southern Diſtrict, ſeveral farms in the county of Weſtcheſter, forfeited by the attainder of Frederick Phillips, late of the ſaid county, Eſquire, and that he was obliged to inſtitute ſeveral ſuits for the recovery of the poſſeſſion of the ſame, praying compenſation for his coſt and charges in the proſecution of the ſaid ſuits, was read, and referred to the Comptroller to report thereon.

A petition of Charles Harford, of the county of Onondaga, relative to the title of lot No. 75, in the townſhip of Ovid, in the ſaid county, was read, and referred to the Surveyor-General to report thereon.

A petition of Sarah Scudder, late widow, and Joſeph Crane, ſon of captain Joſeph Crane, deceaſed, alledging that a certain tract of land in Jeſſup's patent, was ſold by Ebenezer Jeſſup to the ſaid Joſeph Crane, in the year 1774, and that afterwards the commiſſioners of forfeitures ſold it as part of the confiſcated property of the ſaid Ebenezer Jeſſup, praying compenſation, was read, and referred to Mr. Henry, Mr. Clinton and Mr. J. Hogeboom.

Mr. Burling, from the committee to whom was referred the petition of Seth R. Kneeland and Barzillai Duſenbury, reported in favor of the petitioners, and obtained leave to bring in a bill entitled "*An act for the relief of Seth R. Kneeland and Barzillai Duſenbury*," which was read the firſt time, and ordered a ſecond reading.

Mr. Brown, purſuant to notice by him for that purpoſe heretofore given, made a motion that the Houſe ſhould agree to a reſolution, which was read, and is in the words following, viz.

Reſolved, (if the Hon. the Senate concur herein) That the Comptroller be, and he hereby is authorized and directed to contract and agree with one of the Printers in this city to execute the printing buſineſs of the State.

Mr. Howard then made a motion, as an amendment, that a reſolution ſhould be ſubſtituted, in lieu of the reſolution propoſed by the motion of Mr. Brown, which reſolution is in the words following, viz.

Reſolved, (if the Hon. the Senate concur herein) That the Comptroller be authorized to agree with any of the Printers of this city to execute the printing buſineſs of this State, provided that no higher price ſhall be given than that which has been propoſed by Barber & Southwick.

Mr. Comſtock then made a motion as an amendment, to add at the end of the ſaid laſt mentioned reſolution, the words following, viz. "as reported by the joint committee on the ſubject, and entered on the journals of this Houſe."

The queſtion being put on the amendment propoſed by the motion of Mr. Comſtock, it paſſed in the negative.

The queſtion being then put whether the Houſe did agree to the reſolution, propoſed by the motion of Mr. Howard, as a ſubſtitute, in lieu of the reſolution propoſed by the motion of Mr. Brown, it paſſed in the negative.

The queſtion being then put on the reſolution propoſed by the motion of Mr. Brown, it was carried in the affirmative in the manner following, viz.

For the Affirmative.

Mr. J. Barker,	Mr. Foot,	Mr. M'Neal,	Mr. J. Smith,
Mr. Beaton,	Mr. Fort,	Mr. Metcalf,	Mr. N. Smith,
Mr. Bird,	Mr. Gettman,	Mr. Moffet,	Mr. Thomas,
Mr. Bowen,	Mr. Gray,	Mr. Morſe,	Mr. Iſrael Thompſon,
Mr. Bowman,	Mr. Hall,	Mr. Ogden,	Mr. Joel Thompſon,
Mr. Brown,	Mr. Heermance,	Mr. Potter,	Mr. Tyler,
Mr. Campbell,	Mr. Henry,	Mr. Prince,	Mr. Van Alſtyne,
Mr. Carman,	Mr. Hildrith,	Mr. Pride,	Mr. Verplank,
Mr. Clifft,	Mr. Hoag,	Mr. Rice,	Mr. Wendell,
Mr. Cornwell,	Mr. Holt,	Mr. Roſs,	Mr. Weſt.
Mr. Coryell,	Mr. Horton,	Mr. Savage,	Mr. Wheeler,
Mr. Deitz,	Mr. Kane,	Mr. P. I. Schuyler,	Mr. Williamſon, 51
Mr. Dewey,	Mr. Maſon,	Mr. T. Smith,	

For the Negative.

Mr. Adams,	Mr. Coe,	Mr. Howard,	Mr. Skidmore,
Mr. Arcularius,	Mr. Comſtock,	Mr. Hunt,	Mr. A. Smith,
Mr. Barber,	Mr. De la Montagnie,	Mr. Jenkins,	Mr. Snell,
Mr. W. Barker,	Mr. Denning,	Mr. Lee,	Mr. Storm,
Mr. Bevier,	Mr. J. A. De Witt,	Mr. M'Cord,	Mr. Teed,
Mr. Boyd,	Mr. J. C. De Witt,	Mr. Micheau,	Mr. Ten Broeck,
Mr. Bruyn,	Mr. Fairlie,	Mr. Miller,	Mr. Jeſſe Thompſon,
Mr. Burr,	Mr. Halſey,	Mr. Mitchell,	Mr. Towner,
Mr. Burling,	Mr. Hatfield,	Mr. Pearſall,	Mr. Vandervoort,
Mr. Burt,	Mr. J. Hogeboom,	Mr. Reeve,	Mr. Warner,
Mr. Clark,	Mr. K. Hogeboom,	Mr. Robins,	Mr. Wood. 46
Mr. Clinton,	Mr. Hovey,		

Thereupon, *Reſolved*, (if the Hon. the Senate concur herein) That the Comptroller be, and he hereby is authorized and directed to contract and agree with one of the Printers in this city, to execute the printing buſineſs of the State.

Ordered, That Mr. Burt and Mr. Campbell deliver a copy of the preceding reſolution to the Hon. the Senate.

A meſſage from the Hon. the Senate, delivered by Mr. Jones and Mr. L'Hommedieu, with the bill therein mentioned, was read, That the Senate have paſſed the bill intitled "*An act to amend an act entitled "An act concerning Sheriffs and the ſervice and return of proceſs,*" to which they requeſt the concurrence of this Houſe.

The ſaid bill was read the firſt time and ordered a ſecond reading.

Then the houſe adjourned until eleven o'clock on Monday morning next.

Monday, eleven o'clock, A. M. January 15th, 1798.

The engroſſed bill entitled "*An act to authorize the Methodiſt Epiſcopal Church in the City of New-York, to elect three additional Truſtees,*" was read the third time.

Reſolved, That the bill do paſs.

The engroſſed bill entitled "*An act for the relief of Anna Breadbake,*" was read the third time.

Reſolved, That the bill do paſs.

Ordered, That Mr. Carman and Mr. Clark deliver the two laſt mentioned bills to the Hon. the Senate, and requeſt their concurrence.

The bill entitled "*An act concerning Sheriffs, and the ſervice and return of proceſs,*" and the bill entitled "*An act granting relief to Seth R. Kneeland and Barzillai Dufenbury,*" were ſeverally read the ſecond time and committed to a committee of the whole houſe.

A petition of Jared Hoyt, praying a grant of bounty lands for his ſervices as a light dragoon in Col. Sheldon's regiment in the courſe of the late war, was read and referred to the Comptroller to report thereon.

A petition of Catharine Weſterlo and others, patentees of a certain tract of land in Totten and Croſsfield's, or Jeſſup's purchaſe, granted to them by the people of this State, ſtating that a diviſion of the ſaid lands hath been made according to law, by which it appears that there is a very conſiderable deficiency in the quantity of acres intended to be granted, praying relief in the premiſes, was read and referred to the Surveyor-General.

A petition of Jellis Winne and Levinus Dunbar, of the city of Albany, praying amendments in the law for regulating buildings in the ſaid city, was read and referred to Mr. Wendell, Mr. Weſt and Mr. Joel Thompſon.

A memorial of Aldert Rooſa and Juſtus Banks, relative to the boundary of a tract of land purchaſed by them of the Commiſſioners of forfeitures for the weſtern diſtrict, was read and referred to Mr. Mitchell, Mr. Barber and Mr. Burt.

A petition of Samuel Ely and others, inhabitants reſiding on Young's patent in the county of Herkimer, praying to be annexed to the county of Otſego, was read and referred to Mr. Maſon, Mr. Prince and Mr. Gray.

A petition of John Thompſon, and a petition of Joſiah Benjamin of Stillwater in the county of Saratoga, ſtating that they purchaſed lands from the commiſſioners of forfeitures for the Weſtern Diſtrict, and that they have lately diſcovered that the people of this State at the time of ſuch ſale had no title to the ſaid lands, praying relief in the premiſes, were ſeverally read and referred to the Attorney-General.

A petition of Abraham Ten Broeck and others of the city of Albany, a petition of Thomas Lottridge and others, debtors confined in the gaol of the city and county of Albany, a petition of John Abram's and others, debtors confined in the goal of the city and county of New-York, a petition of Electus Backus and others, of the town of Coxſackie in the county of Albany; and a petition of Peter B. Garnſey and others, of the town of Oxford in the county of Tioga, ſeverally praying that an act may be paſſed at the preſent ſeſſion, for the more ample and ſpeedy relief of priſoners confined for debt, was read and referred to Mr. Metcalfe, Mr. Burt, Mr. Bird, Mr. Bowman and Mr. Wood.

Mr. Speaker laid before the Houſe ſchedules of ſchools in the county of Onondaga,

Ordered, That the ſaid ſchedules together with thoſe now in the poſſeſſion of the Clerk of this Houſe be referred to Mr. Comſtock, Mr. Lee and Mr. Clifft.

Mr. Williamſon from the committee to whom was referred the petition of Gabriel W. Ludlow and Carey Ludlow, reported in favour of the petitioners, and obtained leave to bring in a bill entitled "*An act for the relief of Gabriel W. Ludlow and Carey Ludlow,*" which was read the firſt time and ordered a ſecond reading.

Mr. Kane purſuant to notice by him for that purpoſe heretofore given, moved for and obtained leave to bring in a bill entitled "*An act making further proviſion for taking acknowledgments of deeds of lands lying within this State, executed in parts beyond ſea,*" which was read the firſt time and ordered a ſecond reading.

Mr. Rice from the committee to whom was referred the petition of Daniel Miller, David Warner and George Warner, reported in favor of the petitioners, and obtained leave to bring in a bill entitled "*An act authorizing the Commiſſioners of the land office to grant Letters patent for a tract of vacant land to Daniel Miller, David Warner and George Warner,*" which was read the firſt time and ordered a ſecond reading.

Mr. Benton in behalf of Mr. Jenkins from the committee of the whole houſe on the bill entitled "*An act conſtituting a Commiſſioner in the city of New-York, to do certain*

acts appertaining to the office of a Judge of the Supreme Court; and also providing that the Costs and Judgment Rolls shall be respectively taxed and signed by a Clerk of the said Court," reported that the committee had gone thro' the bill, made amendments, and altered the title, that the altered title is, "*An act constituting Commissioners in each of the cities of New-York and Albany to do certain acts appertaining to the office of a Judge of the Supreme Court; and also, providing that the Costs and Judgment Rolls shall be respectively taxed and signed by a Clerk of the said Court; and respecting the acknowledgment and proof of deeds,*" which he was directed to report to the House, and he read the report in his place and delivered the bill and amendments in at the table, where they were again read, and agreed to by the House.

Ordered, That the bill as amended be engrossed.

A copy of a resolution of the Hon. the Senate delivered by Mr. L'Hommedieu and Mr. Matthews, was read, that the Senate have concurred in the resolution of this House; authorizing the Comptroller to contract and agree with one of the printers in the city of Albany to execute the printing business of the State.

A message from the Hon. the Senate also delivered by Mr. L'Hommedieu and Mr. Matthews, with the bill therein mentioned was read, That the Senate have passed the bill entitled "*An act to encourage the Writing a History of this State,*" with the amendments therewith delivered.

The bill and amendments were read, and the amendments being read a second time, were concurred in by the House, and the bill amended accordingly.

Ordered, That Mr. Carman and Mr. Clark deliver the bill to the Hon. the Senate, and inform them that this House have concurred in their amendments to the said bill, and have amended the same accordingly.

The Attorney-General, to whom was referred the petition of Amos Hamlin, reported,

That the said petition was presented to the Hon. the House of Assembly during the last session of the Legislature, and was referred by them to the Surveyor-General, whose reports on the subject, entered in the Journals of the Assembly, on the 12th January and the 4th day of March last, contain a full statement of facts.

The Attorney-General concurs in opinion with the Surveyor-General, that any Legislative interference would be improper. It is probable that the consideration of £14 expressed in the conveyance executed by the petitioner of his bounty lands to Henry Hart was, at the time, the full and *current* value and *price* of the same. If so, justice does not require upon the ground of infancy merely, that the Legislature should grant him any relief. Zephaniah Platt was a purchaser for a valuable consideration, and is the patentee. Any Legislative authority therefore, to dispute his title, would afford to him, in case of loss, strong grounds to claim retribution from the State.

All of which is respectfully submitted.

JOS. OGDEN HOFFMAN.

January 11, 1798.

Ordered, That the consideration of the said report be postponed until to-morrow.

Mr. De La Montagnie, pursuant to notice by him for that purpose heretofore given, moved for and obtained leave to bring in a bill entitled "*An act to prevent unnecessary public Prosecutions in cases where the parties injured have remedy by Civil Action,*" which was read the first time, and ordered a second reading.

Mr. Ogden from the committee of the whole house on the bill entitled "*An act concerning Sheriffs and the service and return of process,*" reported progress and obtained leave to sit again.

The Hon. the Senate returned by Mr. Mathews and Mr. T. Morris the bill entitled "*An act to encourage the Writing a History of this State.*"

Ordered, That Mr. Clark and Mr. Clifft deliver the said bill to the Hon. the Council of Revision.

Then the House adjourned until eleven o'clock to-morrow morning.

Tuesday, eleven o'clock, A. M. January 16th, 1798.

The engrossed bill entitled "*An act constituting a Commissioner in each of the cities of New-York and Albany, to do certain acts appertaining to the office of a Judge of the Supreme Court; and also, providing that the Costs and Judgment Rolls shall be respectively taxed and*

ſigned by a Clerk of the ſaid Court, and reſpecting the acknowledgment and proof of Deeds," was read a third time.

Reſolved, That the bill do paſs.

Ordered, That Mr. Clark and Mr. Clift deliver the bill to the Hon. the Senate, and requeſt their concurrence.

The bill entitled "*An act making further proviſion for taking acknowledgments of Deeds of lands lying within this State, executed in parts beyond ſea,*" the bill entitled "*An act to prevent unneceſſary public Proſecutions in caſes where the parties injured have remedy by Civil Action,*" the bill entitled "*An act for the relief of Gabriel W. Ludlow and Carey Ludlow,*" and the bill entitled "*An act authorizing the Commiſſioners of the Land-Office to grant letters patent for a tract of vacant land to Daniel Miller, David Warner and George Warner,*" were ſeverally read the ſecond time and committed to a committee of the whole houſe.

A petition of the Mayor, Recorder, Aldermen and Commonalty of the city of Hudſon, praying that a law may be paſſed, altering the time for electing charter officers of the ſaid city, was read and referred to Mr. Jenkins, Mr. J. Hogeboom and Mr. Pearſall.

A petition of the Truſtees of the firſt Preſbyterian Congregation adhering to the Aſſociate Reformed Synod in Salem in the county of Waſhington, relative to the moiety of three lots of land in ſaid town, ſold by the Surveyor-General as part of the confiſcated property of Oliver De Lancey, was read and referred to the Comptroller to report thereon.

A petition of Maria Van Wie, ſtating that her late huſband was in his life time gaoler of the city and county of Albany, and that through the inſufficiency of the gaol and other accidents, ſeveral debtors eſcaped from his cuſtody, for whoſe debts he in conſequence thereof became liable, and that recoveries have been had againſt the bail of her ſaid huſband, who now demand the payment thereof from her, which ſhe from indigence is not able to pay, praying relief in the premiſes, was read and referred to Mr. Ten Broeck, Mr. Vandervoort and Mr. Heermance.

A petition of William Hillyer and others, and a petition of Thomas Seaman and others, inhabitants of the city of New-York, praying a repeal of the law paſſed laſt ſeſſion "concerning the recovery of debts and demands to the value of ten pounds in the city of New-York," together with the affirmation accompanying the ſame, was read and referred to the committee for courts of juſtice.

Mr. Jenkins purſuant to notice by him for that purpoſe heretofore given, moved for and obtained leave to bring in a bill entitled "*An act granting a bounty on hemp raiſed within this State,*" which was read the firſt time and ordered a ſecond reading.

Mr. Bird purſuant to notice by him for that purpoſe heretofore given, moved for and obtained leave to bring in a bill entitled "*An act providing for the appointment of Aſſociate Judges of the courts of Common Pleas,*" which was read the firſt time and ordered a ſecond reading.

Mr. Wood from the committee to whom was referred the petition of Elkanah Briggs together with the report of the Comptroller thereon, reported,

That there are no documents accompanying the petition by which to aſcertain the principles on which the Commiſſioners proceeded. That there is no proof that they acted on leſs or different evidence in this, than in other caſes. That the petitioner, if aggrieved, might have brought his ſuit againſt the Commiſſioners at any time between the firſt of January, 1781, and the 29th of November, 1784. That he did not bring any ſuch ſuit, nor has he aſſigned any reaſon for not doing it. That the facts ſtated in the petition are not ſubſtantiated by ſatisfactory evidence, or by ſuch as (if they be true) muſt be attainable.

The committee are of opinion therefore, that the prayer of the petition ought not to be granted.

Reſolved, That this Houſe do agree with the Committee in their ſaid report.

Ordered, That the conſideration of the report of the Attorney-General on the petition of Amos Hamlin, be further poſtponed until to-morrow.

Mr. Ogden, from the committee of the whole Houſe, on the bill entitled "*An act to amend an act entitled "An act concerning Sheriffs, and the ſervice and return of proceſs,*" reported, that the committee had gone through the ſaid bill, made amendments and altered the title; that the altered title is "*An act to amend the act entitled "An act con-*

cerning Sheriffs, and the ſervice and return of proceſs," and the act entitled "*An act concerning Coroners,*" which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read, and agreed to by the Houſe.

Ordered, That the amendments be engroſſed.

Mr. Kane, from the committee of the whole Houſe, on the bill entitled "*An act for the better ſecuring of the goods and effects of perſons dying inteſtate,*" reported, the proceedings of the committee to have been as follows, viz.

That the firſt enacting clauſe of the ſaid bill was read, and is in the words following, viz.

"*Be it enacted by the People of the State of New-York repreſented in Senate and Aſſembly*, That it ſhall and may be lawful for the freeholders and inhabitants of each town in this State, and they are hereby authorized annually hereafter at their anniverſary town-meetings, to chooſe two reputable freeholders, for the purpoſe of inventorying and ſecuring the goods and chattels of ſuch as may die inteſtate in each town reſpectively."

That Mr. Clinton made a motion, that the ſaid bill ſhould be rejected; that debates were had thereon, and the queſtion being put whether the committee did agree to the motion of Mr. Clinton, it was carried in the affirmative, which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe. Thereupon,

Reſolved, That the ſaid bill be, and it is hereby rejected.

The Comptroller to whom was referred the petition of Archibald Currie, reported, That the petitioner ſtates in his petition that Donald Fiſher of Hebron in Waſhington county, is indebted to him on a bond executed in the year 1785, for 480l. with intereſt from the date thereof; that his eſtate was confiſcated during the late war, and he thereby rendered unable to pay his debts; that he was ſeized of about 200 acres of land next Fort Edward, in the ſaid county of Waſhington, which has not been ſold by the State, but is occupied by intruders; that the petitioner was attached to the independence of this State during the late war, and ſuffered greatly in his property in conſequence of that attachment, and can never recover the amount of the ſaid bond but by means of the ſaid land, and therefore he prays that it may be ſold, or otherwiſe appropriated to the payment of the ſaid debt.

The petition is not accompanied with any voucher: But ſuppoſing the facts to be true as ſtated by the petitioner, it would be improper, in the opinion of the Comptroller, to grant the prayer of his petition; becauſe the eſtate of Fiſher having been forfeited to, and veſted in, the people of this State before the debt was contracted, the petitioner can have no claim to ſatisfaction for it out of that eſtate; and it would produce conſequences very detrimental to the State to appropriate the property veſted in the State, to the payment of the debts of the offender contracted after his conviction.

It may be neceſſary to obſerve, that the Surveyor-General, is authoriſed to ſell and diſpoſe of all real eſtates forfeited to the people of this ſtate, for the offence of adhering to the enemies of this ſtate, in the late war between the King of Great-Britain and the United States of America; and it appears by his account, that he has ſold two tracts of land in the county of Waſhington, containing together 420 acres, as forfeited by the conviction of Donald Fiſher, for the offence aforeſaid. But whether the land mentioned in the petition, is a part of thoſe tracts, or not, the comptroller cannot determine; and therefore ſubmit whether it would not be proper to refer the petition to the Surveyor-General, for his information.

All which is reſpectfully ſubmitted.

SAMUEL JONES, *Comptroller.*

Albany, 15th January, 1798.

Reſolved, That this houſe do approve of the ſaid report.

Ordered, That the petition of the ſaid Archibald Currie, be referred to the Surveyor-General to report thereon.

The Comptroller to whom was referred the petitions of Jacob Ryder and John Vail, and the vouchers accompanying the ſame; Reported, That the ſaid Jacob Ryder, ſets forth in his petition, that he is the proprietor and holder of a certain promiſſory note

of 12l. with intereſt due thereon, given to him for a valuable conſideration on the 21ſt day of May, 1771, by John Gidney, whoſe eſtate was forfeited to the people of this ſtate; and the ſaid John Vail ſets forth in his petition, that he is the proprietor and holder of a certain promiſſory note of 60l. with intereſt due thereon, given to him for a valuable conſideration, on the third day of June, 1775, by Jeremiah Traviſs, whoſe eſtate was forfeited to the people of this State; and both the petitioners further ſtate, that a conſiderable amount of the avails of the reſpective eſtates of the ſaid John Gidney, and Jeremiah Traviſs, is now in the treaſury, and that through want of attention to the laws of this State, they the petitioners did neglect their application, under the laws granting relief in ſimilar caſes, until they were expired, and they therefore pray relief in the premiſes.

By an act paſſed the 12th day of May, 1784, proviſion was made for the ſettlement and diſcharge of debts due from perſons whoſe eſtates were forfeited to, and thereby directed to be ſold for the uſe of the people of this State. This act declares in ſubſtance that all creditors and claimants who ſhould not have their claims or accounts audited and certified as therein directed, and exhibit the ſame to the Treaſurer within the time therein mentioned, ſhould be to all intents and purpoſes whatſoever, abſolutely debarred and forever precluded from all relief, benefit and advantage under or by virtue thereof.

The time limited for exhibiting accounts againſt forfeited eſtates expired in the year 1789, it does not appear that there was any impediment to the petitioners availing themſelves of the proviſion made by law in ſuch caſes; the only excuſe they make for not having done it, is the want of attention to the laws of the State: if this ſhould be admitted as ſufficient, limitations would be of no effect. The Comptroller is therefore of opinion, that the petitioners are not entitled to any relief.

All which is reſpectfully ſubmitted.

SAMUEL JONES, *Comptroller.*

Reſolved, That this Houſe do agree with the Comptroller in his ſaid report.

Mr. Wood from the committee of the whole Houſe on the bill entitled "*An act for the regulation of Pilots and Pilotage for the port of New-York,*" reported, that the committeee had gone through the bill, made amendments and added a clauſe, which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the bill as amended be engroſſed.

Mr. De La Montagnie, from the committee of the whole Houſe, on the bill entitled "*An act for dividing the town of Willſborough in the county of Clinton,*" reported, that the committee had gone through the ſaid bill without amendment, which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the ſaid bill be engroſſed.

Ordered, That every reſolution requiring the concurrence of both Houſes, and every public bill, after having been committed to a committee of the whole, ſhall be printed for the uſe of the Members.

Mr. J. Hogeboom, from the committee of the whole Houſe, on the bill entitled "*An act making further proviſion for taking acknowledgments of Deeds of Lands lying within this State executed in parts beyond ſea,*" reported progreſs, and obtained leave to ſit again.

Mr. J. Hogeboom, purſuant to notice by him for that purpoſe heretofore given, moved for and obtained leave to bring in a bill entitled "*An act to regulate the returning and impannelling of Jurors for the Trial of Iſſues,*" which was read the firſt time, and ordered a ſecond reading.

Then the Houſe adjourned until eleven o'clock to-morrow morning.

Wedneſday, 11 o'clock, A. M. January 17th, 1798.

The engroſſed bill entitled "*An act for the regulation of Pilots and Pilotage for the port of New-York,*" was read the third time.

Reſolved, That the bill do paſs.

The engroſſed bill entitled "*An act for dividing the town of Willſborough in the county of Clinton,*" was read the third time.

Reſolved, That the bill do paſs.

Ordered, That Mr. Clinton and Mr. Coe deliver the two laſt mentioned bills to the Hon. the Senate and requeſt their concurrence.

The bill entitled "*An act to amend an act entitled "An act concerning Sheriffs and the ſervice and return of proceſs,*" with the engroſſed amendments, was read the third time.

Reſolved That the bill do paſs.

Ordered, That Mr. Clinton and Mr. Coe deliver the bill to the Hon. the Senate, and inform them that this Houſe have paſſed the ſame with the amendments therewith delivered.

The bill entitled "*An act granting a bounty on hemp raiſed within this State,*" the bill entitled "*An act providing for the appointment of Aſſociate Judges of the Courts of the Common Pleas,*" and the bill entitled "*An act to regulate the returning and impannelling of Jurors for the trial of iſſues,*" were ſeverally read the ſecond time and committed to a committee of the whole Houſe.

A petition of the Preſident and Directors of the New-York Inſurance Company, praying for an act of incorporation, was read and referred to Mr. Wood, Mr. Denning and Mr. P. I. Schuyler.

A petition of Henry Shute and Peter De Riemar, for themſelves and others, legal repreſentatives of Iſaac De Riemar, ſen. deceaſed, ſtating that they are entitled to three-ſixths of the eſtate which was in the poſſeſſion of James De Lancey at the time of his attainder, and praying a reaſonable compenſation for the ſame, was read and ordered to be laid on the table.

A petition of Laurence Vrooman and others of the town of Schenectady, praying that a law may be paſſed to erect them into a body politic and corporate, with immunities and privileges ſimilar to thoſe heretofore granted to cities was read and referred to the committee to whom was referred the petition of Abraham Wemple and others.

Ordered, That Mr. Prince and Mr. Metcalfe be added to the ſaid laſt mentioned committee.

A petition of John Fitzgerald and others of the town of Schenectady, relative to a diſpute concerning the title to certain lands in ſaid town, was read and referred to Mr. Baldwin, Mr. Gray and Mr. Foot.

A petition of Catharine Young, widow of Frederick Young, whoſe eſtate was forfeited to the people of this State, praying a grant of a ſum of money in ſatisfaction of her right of dower in the real eſtate of her ſaid huſband; a petition of Adam Hoffman of Marbletown in Ulſter county, ſtating that in the year 1784, he purchaſed of the commiſſioners of forfeitures for the Middle Diſtrict, a ſmall lot of land, part of the forfeited eſtate of Thomas Sammons, jun. eldeſt ſon and heir at law of Thomas Sammons, ſen. whoſe widow now demands her dower in the ſaid lot, praying relief in the premiſes; and a petition of Rachel Palmer, widow of Lewis Palmer late of the county of Weſtcheſter, whoſe eſtate was forfeited to the people of this State, praying compenſation for her right of dower in the real eſtate of which her ſaid huſband was ſeized at the time of his conviction, were ſeverally read and referred to the Attorney-General.

A petition of William Aſhdowne and others, aliens, praying that they may be enabled by law to purchaſe and hold real eſtates within this State, was read and committed to a committee of the whole Houſe, when on the bill entitled "*An act to enable certain perſons therein named to purchaſe and hold real eſtates within this State.*"

A petition of Charles Doughty and others freeholders and inhabitants of the town of Brooklyn in King's county, praying a confirmation of the records of ſaid town, was read and referred to Mr. Vandervoort, Mr. Skidmore and Mr. Lee.

A petition of Levi Farr and others, praying grants of vacant lands in the county of Clinton, was read and referred to the Commiſſioners of the Land Office.

A petition of Henry Gueſt, jun. and others of the city of Albany, praying alterations in the law paſſed at the laſt ſeſſion for regulating buildings within the ſaid city, was read and referred to the Members attending in this Houſe from the city and county of Albany.

A petition of John Day and Nicholas De Lavergne, praying a grant of vacant land lying between the boundary lines of the counties of Albany and Schoharie, and the petition of Joſeph Black and others, relative to lands in Herkimer county, held by

them under leaſes from Peter Smith, were ſeverally read and referred to the Surveyor-General.

Schedules of ſchools in the the county of Montgomery were laid before the Houſe, and referred to Mr. Comſtock, Mr. Lee and Mr. Clifft.

Ordered, That the conſideration of the report of the Attorney-General, on the petition of Amos Hamlin, be further poſtponed until to-morrow.

Then the Houſe reſolved itſelf into a committee of the whole Houſe, on the meſſage of his Excellency the Governor of the 10th inſtant, and the letter of the Attorney-General referred to in the ſame; and after ſome time ſpent thereon, Mr. Speaker reſumed the chair, and Mr. Moffet, from the ſaid committee, reported, that it was reſolved, as the ſenſe of the ſaid committee, that the following reſolution be agreed to:

Whereas it appears by a meſſage from his Excellency the Governor, and the letter of the Attorney-General accompanying the ſame, that certain ſuits inſtituted by perſons claiming title, under grants from the State of Connecticut, to lands lying within the juriſdiction and limits of this State, are now depending and at iſſue in the Circuit Court of the United States, for the diſtrict of Connecticut, upon pleas to the juriſdiction of the ſaid Court; and that, by a deciſion lately had in the ſaid Court, a jury compoſed of the freemen and citizens of the State of Connecticut will be deemed competent to the trial of ſuch iſſues. And whereas the rights and intereſts of this State may be deeply affected by the event of ſuch trials, and it is eſſential to the faithful adminiſtration of juſtice, that all controverſies between two States, ſhould, in conformity to the Conſtitution of the United States, be decided by impartial and diſintereſted juries in the Supreme Court of the ſaid United States, and not by perſons who may be either intereſted, or under the influence of local prejudices or paſſions. Therefore, reſolved as the ſenſe of this Legiſlature, that for the due adminiſtration of juſtice, and in order to carry into effect the wiſe proviſion of the national conſtitution upon this ſubject, it is neceſſary that a law ſhould be paſſed by the Congreſs of the United States, directing the mode of removing the abovementioned ſuits, and all others of a ſimilar nature, for trial from the Circuit Court of the diſtrict in which they may have been commenced, into the Supreme Court of the ſaid United States, or at leaſt making proviſion for the trial thereof by a jury to be taken from ſome diſtrict or diſtricts other than thoſe which comprehend the States that are intereſted in the queſtion to be determined, with ſuitable precautions to ſecure the eventual controul of the ſaid Supreme Court. Reſolved alſo, that his Excellency the Governor be requeſted to tranſmit a copy of the preceding reſolution, and of the ſaid letter of the Attorney-General, to the Senators and Repreſentatives of this State in Congreſs, to the end, that they may employ their earneſt and immediate endeavours to obtain a law of the United States for the purpoſes abovementioned, whereby *alone* the ſatisfactory and impartial determination of the ſaid ſuits can be enſured, and the Conſtitution of the United States, upon this great and important ſubject, guarded from evaſion:

Which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read: thereupon,

Reſolved, That the Houſe do agree with the committee in the ſaid preceding reſolution.

Ordered, That Mr. Coe and Mr. Cornwall deliver a copy of the ſaid reſolution to the Hon. the Senate, and requeſt their concurrence.

Mr. J. Hogeboom, from the committee of the whole Houſe, on the bill entitled "*An act making further proviſion for taking acknowledgments of Deeds of Lands lying within this State executed in parts beyond ſea,*" reported, that the committee had gone through the bill, made amendments and expunged the preamble, which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read, and agreed to by the Houſe.

Ordered, That the bill as amended be engroſſed.

Two ſeveral meſſages from the Hon. the Senate delivered by Mr. T. Morris and Mr. Myers with the bills therein reſpectively mentioned, were read, that the Senate have paſſed the bill entitled "*An act for the relief of Anna Breadbake,*" and the bill

entitled "*An act to authorize the Methodist Episcopal Church in the city of New-York to elect three additional Trustees,*" without amendment.

Ordered, That Mr. Denning and Mr. J. A. De Witt deliver the two last mentioned bills to the Hon. the Council of Revision.

A copy of a resolution of the Hon. the Senate also delivered by Mr. T. Morris and Mr. Myers was read, that the Senate do concur with this House in their resolution as entered on the Journals this day, relative to the message of his Excellency the Governor, and the letter of the Attorney-General accompanying the same.

Ordered, That Mr. De La Montagnie and Mr. Denning deliver a copy of the said concurrent resolution to his Excellency the Governor.

Mr. Fairlie from the committee of the whole House on the bill entitled "*An act to repeal the act entitled "An act to regulate the practice of Physic and Surgery within this State,*" reported progress and obtained leave to sit again.

Then the House adjourned until eleven o'clock to-morrow morning.

Thursday, eleven o'clock, A. M. January 18th, 1798.

The engrossed bill entitled "*An act making further provision for taking acknowledgments of Deeds of lands lying within this State, executed in parts beyond sea,*" was read the third time.

Resolved, That the bill do pass.

Ordered, That Mr. J. A. De Witt and Mr. J. C. De Witt deliver the bill to the Hon. the Senate and request their concurrence.

Three several petitions of the inhabitants of the east part of the county of Tioga, praying for a division thereof, were respectively read, and referred to Mr. Hovey, Mr. Coryell, Mr. Holt, Mr. Dewey and Mr. Tyler.

Mr. Jenkins, from the committee to whom was referred the petition of the Mayor, Recorder, Aldermen and Commonalty of the city of Hudson, reported in favor of the petitioners, and obtained leave to bring in a bill entitled "*An act altering the time of holding the election of city officers for the city of Hudson,*" which was read the first time and ordered a second reading.

Ordered, That the report of the Attorney-General, on the petition of Amos Hamlin, be referred to Mr. Metcalfe, Mr. Hunt and Mr. Brown.

Mr. Denning, in behalf of Mr. Fairlie, from the committee of the whole House, on the bill entitled "*An act to repeal the act entitled "An act to regulate the practice of Physic and Surgery in this State,*" reported, that after the said bill had been read in the committee, and debates had thereon, the question was put whether the committee did agree thereto, and it was carried in the affirmative in the manner following, viz.

For the Affirmative.

Mr. Adams,	Mr. Clark,	Mr. Horton,	Mr. Skidmore,
Mr. Arcularius,	Mr. Clift,	Mr. Hovey,	Mr. A. Smith,
Mr. Baldwin,	Mr. Clinton,	Mr. Hunt,	Mr. T. Smith,
Mr. Barber,	Mr. Coe,	Mr. Jenkins,	Mr. J. Smith,
Mr. J. Barker,	Mr. Comstock,	Mr. Lee,	Mr. Storm,
Mr. W. Barker,	Mr. Deitz,	Mr. M'Cord,	Mr. Teed,
Mr. Bevier,	Mr. De la Montagnie,	Mr. Micheau,	Mr. Thomas,
Mr. Bowman,	Mr. J. C. De Witt,	Mr. Mitchell,	Mr. Jesse Thompson,
Mr. Boyd,	Mr. Fairlie,	Mr. Pearsall,	Mr. Israel Thompson,
Mr. Bruyn,	Mr. Foot,	Mr. Potter,	Mr. Towner,
Mr. Burr,	Mr. Gregory,	Mr. Reeve,	Mr. Verplanck,
Mr. Burling,	Mr. Halsey,	Mr. Rice,	Mr. Warner,
Mr. Burt,	Mr. Hatfield,	Mr. Robins,	Mr. Williamson, 55
Mr. Carman,	Mr. K. Hogeboom,	Mr. Savage,	

For the Negative.

Mr. T. Barker,	Mr. Gettman,	Mr. M'Neal,	Mr. Snell,
Mr. Beaton,	Mr. Gray,	Mr. Metcalf,	Mr. Speaker,
Mr. Bird,	Mr. Heermance,	Mr. Miller,	Mr. Ten Broeck,
Mr. Bowen,	Mr. Henry,	Mr. Moffet,	Mr. Joel Thompson,
Mr. Brown,	Mr. Hildrith,	Mr. Morse,	Mr. Vandervoort,
Mr. Campbell,	Mr. Hoag,	Mr. Ogden,	Mr. Van Alstyne,
Mr. Cornwell,	Mr. J. Hogeboom,	Mr. Prince,	Mr. Vosburgh,
Mr. Coryell,	Mr. Holt,	Mr. Pride,	Mr. Wendell,
Mr. J. A. De Witt,	Mr. Howard,	Mr. Ross,	Mr. West,
Mr. Dewey,	Mr. Kane,	Mr. P. P. Schuyler,	Mr. Wheeler,
Mr. Fort,	Mr. Mason,	Mr. N. Smith,	Mr. Wood. 44

That Mr. Clinton then made a motion that the committee ſhould agree to add a proviſo to the enacting clauſe of the ſaid bill, which was read, and is in the words following, viz. Provided always, that nothing herein contained ſhall be conſtrued to revive the act to regulate the practice of phyſic and ſurgery within the city and county of New-York, paſſed 27th March, 1792; and the queſtion being put thereon, it was carried in the affirmative; which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the bill as amended be engroſſed.

The Surveyor-General, to whom was referred the petition of James Jordan, reported, that the returns of perſons having claims under the laws reſpecting the gratuity of lands promiſed by this State to their troops ſerving in the army of the United States in the late war, have been made to the land office, where all the documents, relating to the proceeding had in thoſe caſes, are depoſited. The Surveyor-General has not therefore the materials from which to make a ſtatement of facts touching matters of this kind.

All which is reſpectfully ſubmitted.

SIMEON DE WITT, *Surveyor-General.*

January 13th, 1798.

Ordered, That the ſaid petition be referred to Mr. Bird, Mr. Halſey and Mr. J. Smith.

Ordered, That the Clerk cauſe 120 copies of the rules of this Houſe to be printed for the uſe of the Members thereof.

Mr. Wood, purſuant to notice by him for that purpoſe heretofore given, moved for and obtained leave to bring in a bill entitled "*An act ſupplementary to the act entitled "An act relative to the acknowledgment of Deeds,*" which was read the firſt time and ordered a ſecond reading.

Mr. P. P. Schuyler, from the ſelect committee to whom was committed the bill entitled "*An act concerning the charter to the Miniſter, Elders and Deacons of the Reformed Proteſtant Dutch Church in the city of Albany,*" reported, that a queſtion of doubtful conſtruction has ariſen in the Reformed Proteſtant Dutch Church of Albany, whether more than one of the Miniſters by the charter is entitled to ſit at the ſame time in the Conſiſtory. That the Clerical Members underſtand it one way, and the Lay Members the other. That they have unanimouſly agreed that the Legiſlature ſhould paſs an explanatory law on the ſubject. That the bill now before the Houſe on that point has been brought forward agreeably to the opinion of the Lay Members, but contrary to that of the Clerical. That the committee are therefore of opinion, that it would be proper for the Legiſlature, and in ſtrict conformity to the prayer of the petition, to explain the doubts on the ſubject in ſuch way as ſhall be moſt agreeable to the ſpirit and meaning of the charter and the conſtitution of the ſaid Church. Thereupon,

Ordered, That the ſaid bill be recommitted to a committee of the whole Houſe, and that the foregoing report be committed to the ſaid committee, when on the ſaid bill.

Mr. Metcalfe, from the committee of the whole Houſe, on the bill entitled "*An act granting a bounty on hemp raiſed within this State,*" reported progreſs, and obtained leave to ſit again.

Then the Houſe adjourned until ten o'clock to-morrow morning.

Friday, ten o'clock, A. M. January 19th, 1798.

The engroſſed bill entitled "*An act to repeal the act entitled "An act to regulate the practice of Phyſic and Surgery in this State,*" was read the third time.

Reſolved, That the bill do paſs.

Orderd, That Mr. J. C. De Witt and Mr. Dewey deliver the bill to the Hon. the Senate and requeſt their concurrence.

The bill entitled "*An act ſupplementary to the act entitled "An act relative to the acknowledgment of Deeds,*" and the bill entitled "*An act altering the time of holding the election of city officers for the city of Hudſon,*" were ſeverally read the ſecond time and committed to a committee of the whole Houſe.

A petition of Cornelius Eckerſon, praying compenſation for his ſervices during the late war, was read and referred to Mr. Hatfield, Mr. Burr and Mr. Snell.

A petition of the United Inſurance Company in the city of New-York, praying an act of incorporation, was read and referred to Mr. Wood, Mr. Denning and Mr. P. I. Schuyler.

A letter from the Hon. John Sloſs Hobart addreſſed to the Hon. the Speaker, was read and ordered to be inſerted in the Journals of this Houſe.

The ſaid letter is in the words following, viz.

Albany, January 18th, 1798.

SIR,

HAVING had the honour, on Saturday laſt, to receive the joint reſolutions of the Senate and Aſſembly, appointing me a Senator to repreſent this State in the Senate of the Congreſs of the United States, I ſhould have proceeded immediately for Philadelphia, but for the conſideration that a number of perſons having matters depending in the Supreme Court, would have been obliged to ſend to me there, upon buſineſs which could be completed by my remaining a few days in this city.

I hope I may be allowed to cheriſh the reflection, that this inſtance of public confidence, both as it reſpects the important nature of the appointment, and the honorable manner in which it has been made, is a precious evidence that my honeſt endeavors for more than twenty years, to ſerve my country in an office of great truſt, have not been altogether unacceptable to my fellow-citizens.

When unexpectedly called upon at the organization of our conſtitution, to take a ſeat on the bench of the Supreme Court, I entered with great diffidence upon the functions of the office, not having been educated in the profeſſion of the law: I continued, however, to diſcharge its duties to the utmoſt of my power, till finding that the depredations of the war would deprive me of a patrimony amply ſufficient for a man of reaſonable deſires, and that the pecuniary embarraſſments of the treaſury were ſuch, as to prevent the Legiſlature from making the requiſite eſtabliſhment, to enable me to be in any tolerable degree, uſeful as a judge, and even to reſtrain them to ſuch moderate allowances, as were altogether inſufficient for the ſuſtenance of a ſmall family, it appeared to me abſolutely neceſſary to engage in ſome buſineſs which would afford a reaſonable proſpect of an adequate permanent maintenance. While my mind was occupied upon this ſubject, in the autumn of the year 1779, I received the concurrent reſolution of the Senate and Aſſembly appointing me a commiſſioner to attend a convention of the five eaſtern States at Hartford. When ſetting out on that commiſſion, I took the liberty to repreſent my ſituation and proſpects in a letter to Governor Clinton, and to requeſt him to accept of my reſignation. Upon my return, the Governor informed me, that the Legiſlature having made an occaſional grant to the judges, which would be ſufficient for their immediate ſupport, he had not acquainted the Council of Appointment with my deſire to reſign, from an expectation that poſſibly, the diſpoſition of the Legiſlature, manifeſted by the grant, might induce me to continue in the office: it had that effect on my mind, and I determined from that time to devote myſelf entirely to the ſtudies and duties of the office, and to refrain from every avocation and engagement that might interfere with my uſefulneſs in it, repoſing myſelf upon the proviſion which the Legiſlature might think proper to make for my future maintenance. I have ſtrictly adhered to this reſolution, nor have I hitherto, had reaſon to regret my confidence, ſince the allowance which has been made to me, has proved ſufficient for my decent and comfortable ſubſiſtance, and to enable me to ſave ſome ſmall matter from my income; to enhance the value of theſe ſavings, and, if poſſible to increaſe their amount, I was led ſome years ago by the advice of my friends, to engage in the purchaſe of a farm, and have thereby contracted a large debt, which, under exiſting circumſtances, it is impoſſible for me to diſcharge and retain the farm.

In this ſituation of my private affairs, I might, perhaps, heſitate between the honor of ſerving in the Senate of the United States, and the inevitable danger of thereby increaſing my pecuniary embarraſſments; but when I have ſaid that my ſupport for many years paſt, and the greater part of the little property I at preſent poſſeſs, have been derived from the bounty of the Legiſlature, I ought to have no will of my own on the ſubject; my country has the right to determine whether my poor abilities

can be of any further uſe to the community, and to point out the way in which they ſhall be employed. I therefore go without heſitation, in obedience to the commands of the Senate and Aſſembly, to take a ſeat in the Senate of the Congreſs of the United States, relying firmly on the experience I have already had, that the Legiſlature of my own State will not ſuffer an old ſervant to drink of the bitter cup of poverty and diſtreſs in the evening of life.

I have the honor to be with ſentiments of very great eſteem and reſpect,

Sir, your moſt obedient humble ſervant,

JOHN SLOSS HOBART.

The Hon. D. TEN BROECK, *Speaker of the Aſſembly.*

Mr. Voſburgh, from the committee to whom was referred the petition of Henry Ten Eyck, reported in favor of the petitioner, and obtained leave to bring in a bill entitled "*An act for the relief of Henry Ten Eyck,*" which was read the firſt time and ordered a ſecond reading.

Mr. Horton, from the committee to whom was referred the petition of Joſhua H. Brett and others, reported in favor of the petitioners, and obtained leave to bring in a bill entitled "*An act granting an additional term of the Court of Common Pleas in the county of Delaware,*" which was read the firſt time and ordered a ſecond reading.

Mr. Brown, from the committee of the whole Houſe, on the bill entitled "*An act granting relief to Seth R. Kneeland and Barzillai Duſenbury,*" reported, that the committee had gone through the ſaid bill without amendment, which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

The Commiſſioners of the Land Office, to whom was referred the petition of Levi Farr and others, reported,

That it appears from the allegations of the ſaid petitioners, that they are intruders on the land of the people of this State, and have taken poſſeſſion of the tract in the ſaid petition mentioned, and have occupied and uſed the ſame, and that without having any permiſſion, title, or excuſable pretext ſo to do.

That in the opinion of the board, it would not conſiſt with the intereſt of the State, nor with the reſpect due to the rights of property, or to the Legiſlature of the State, to countenance and invite ſuch unwarrantable intruſions, by granting to them the very land ſo by them unlawfully ſeized and occupied; but on the contrary, that it is in the opinion of the board very deſirable that ſuch intruſions ſhould in future be effectually prevented.

Ordered, That the conſideration of the ſaid report be the order of the day for Tueſday next.

A meſſage from the Hon. the Senate, delivered by Mr. Myers and Mr. Nicoll, with the bill therein mentioned was read, that the Senate do concur in the two firſt amendments, and do not concur in the other amendments of this Houſe to the bill entitled "*An act to amend an act entitled "An act concerning Sheriffs, and the ſervice and return of proceſs.*"

Ordered, That the conſideration of the ſaid amendments be poſtponed.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Myers and Mr. Nicoll, with the bill therein mentioned was read, that the Senate have paſſed the bill entitled "*An act conſtituting a Commiſſioner in each of the cities of New-York and Albany, to do certain acts appertaining to the office of a Judge of the Supreme Court; and alſo, providing that the coſts and judgment rolls ſhall be reſpectively taxed and ſigned by a Clerk of the ſaid Court; and reſpecting the acknowledgment of Deeds,*" with the amendments therewith delivered.

Ordered, That the conſideration of the ſaid amendments be poſtponed.

A meſſage from the Hon. the Council of Reviſion, delivered by the Hon. Mr. Juſtice Lewis, was read, that it does not appear improper to the Council that the bill entitled "*An act to encourage the writing a Hiſtory of this State*" and the bill entitled "*An act to authorize the Methodiſt Epiſcopal Church in the city of New-York to elect three additional truſtees,*" ſhould ſeverally become laws of this State.

Mr. De La Montagnie from the committee of the whole Houſe on the bill entitled

"*An act concerning the charter to the Miniſter, Elders and Deacons of the Reformed Proteſtant Dutch Church in the city of Albany,*" reported progreſs, and obtained leave to ſit again.

Then the Houſe adjourned until eleven o'clock to-morrow morning.

Saturday, eleven o'clock, A. M. January 20th, 1798.

The engroſſed bill entitled "*An act granting relief to Seth R. Kneeland and Barzillai Duſenbury,*" was read the third time, and recommitted to a committee of the whole Houſe.

The bill entitled "*An act granting an additional term of the court of Common Pleas in the county of Delaware,*" and the bill entitled "*An act for the relief of Henry Ten Eyck,*" were ſeverally read the ſecond time and committed to a committee of the whole Houſe.

A petition of James M'Maſter and others; a petition of Cornelius Cooper and others; a petition of Francis Van Dyke and others, and a petition of Samuel Freeman and others inhabitants of the city and county of New-York, praying a repeal of the law paſſed laſt ſeſſion for the recovery of debts and demands to the value of ten pounds in the city of New-York, with the depoſition accompanying the ſame, were ſeverally read and referred to the committee for courts of juſtice.

A petition of Brockholſt Livingſton, praying that the Legiſlature will grant him the like quantity of land for his ſervices as a Lieutenant-Colonel in the late American army, which by law is directed to be granted to Lieutenant-Colonels who had ſerved in the line of this State, was read and referred to Mr. Hatfield, Mr. Burr and Mr. Snell.

A petition of Thomas Barry and others, manufacturers of tobacco in the city of Albany, praying that a law may be paſſed appointing a weigher of tobacco imported into this State, was read and referred to Mr. Heermance Mr. Storm and Mr. Jenkins.

A petition of Benjamin Griffin and others, debtors confined in the gaol of the county of Otſego, praying alterations in the law relative to the impriſonment of debtors, was read and referred to Mr. Metcalfe, Mr. Burr, Mr. Bird, Mr. Bowman and Mr. Wood.

A communication from Samuel Jones, addreſſed to the Speaker, incloſing a copy of a contract relative to the printing buſineſs, was read and ordered to be entered on the Journals of this houſe, the ſame are in the words following, viz.

COMPTROLLER'S OFFICE, *Albany, Jan. 18th,* 1798.

SIR,

In purſuance of the concurrent reſolution of the Hon. the Senate and Aſſembly of the 13th and 15th inſtant, authorizing and directing the Comptroller to contract and agree with one of the Printers in this city to execute the printing buſineſs of the State, I have made a contract for the purpoſe with Loring Andrews & Co. a copy of which is incloſed.

I have the honor to be, with great reſpect,
your obedient ſervant,
SAMUEL JONES.

The Hon. the Speaker of the Houſe of Aſſembly of the State of New-York.

This agreement made the ſixteenth day of January, in the year of our Lord one thouſand ſeven hundred and ninety-eight, between Samuel Jones, Comptroller of the State of New-York, in conſequence of the concurrent reſolution of the Senate and Aſſembly hereunto annexed, of the firſt part, and Loring Andrews and Obadiah Penniman of the city of Albany, printers, of the ſecond part, *witneſſeth*, That the ſaid Loring Andrews and Obadiah Penniman do hereby contract and agree to do and execute the printing buſineſs of the ſaid State, and to find and provide the materials for the ſame upon the following terms and conditions:

Firſt; That they ſhall annually print four hundred copies of the Journals of the Senate and Aſſembly, and five hundred copies of the Laws of each ſeſſion, with types at leaſt as large, and on paper of the ſame ſize and as good in quality as the beſt of the paper on which the Laws and Journals of the laſt ſeſſion were reſpectively printed, at the rate of five dollars and twenty-five cents by the ſheet; and ſhall do and

execute all extra printing work during each ſeſſion, and in the receſs of the Legiſlature, at the rate of two dollars and twenty-five cents by the ſheet.

Secondly; That the Laws ſhall be printed in octavo, and the pages of thoſe of the preſent ſeſſion numbered from the number of the laſt page of thoſe of the laſt ſeſſion; and in caſe they ſhould be printed with larger types than were uſed in printing the laws of the laſt ſeſſion, by which the number of ſheets will be increaſed, no compenſation ſhall be made for ſuch increaſe.

Thirdly; That the Journals aforeſaid ſhall be printed and ready for delivery to the perſons entitled to them, within one week after the end of each ſeſſion; and the laws aforeſaid within one month from the day on which the copy of the laſt law paſſed at every meeting of the Legiſlature ſhall be delivered to them.

Fourthly; That they ſhall alſo, when furniſhed with ſufficient copy for the purpoſe, cauſe to be delivered daily to the Clerks of the reſpective houſes, ſix copies of the Journals of both Houſes for the uſe of the Members, gratis.

Fifthly; That they ſhall print in their newſpaper ſuch copies or abſtracts of the Journals of each branch of the Legiſlature as either may direct, and all proclamations of the Executive, and ſuch laws as the Legiſlature may direct, gratis.

Sixthly; That they ſhall deliver or tranſmit by the firſt ſafe conveyance, to the Clerks of the ſeveral counties in this State, as many of the laws and journals of both houſes as there ſhall be perſons in the reſpective counties entitled thereto, and who ſhall not then have received the ſame (except that in the Southern Diſtrict of the State they ſhall be ſent to the office of the Clerk of the city and county of New-York) to remain there until they ſhall be applied for by the perſons entitled to them; and ſhall deliver the reſidue of the ſaid journals and laws to ſuch perſon or perſons as the Legiſlature ſhall direct. In WITNESS whereof the ſaid Loring Andrews and Obadiah Penniman have hereunto ſet their hands and ſeals the day and year firſt above written.

Sealed and delivered in the preſence of us.

The Surveyor-General to whom was referred the petition of Nathaniel Collins and others, reported, that the petitioners (being ſeven in number) alledge that they are in the actual poſſeſſion of lands belonging to the State, in the county of Clinton, and have made improvements thereon; that they are men having families, and in want of a reſidence. In conſideration of all which they pray for a grant of one thouſand four hundred and forty acres, as they have located them where their improvements are.

The lands as deſcribed are probably vacant, but no evidence accompanies the petition in ſupport of their other allegations.

All which is reſpectfully ſubmitted.

SIMEON DE WITT, *Surveyor-General.*

January 19*th*, 1798.

Ordered, That the conſideration of the ſaid report be poſtponed until Tueſday next.

The Surveyor-General, to whom was referred the petition of Samuel T. Smith and others, reported, that the petitioners (being twenty in number) alledge that they are ſettled on lands belonging to the State, near the line between Ulſter and Albany, having miſtaken them for other lands from the owner of which they expected to get leaſes. That they have been at a great deal of expence and labor in making improvements, and therefore pray the Legiſlature to make them a grant of the lands at ſuch price as may be thought proper.

No evidence accompanies the petition in ſupport of the facts it alledges. There are vacant lands in that quarter, but the deſcription of the petitioners is not ſufficient to judge from whether what they occupy are lands belonging to the State.

All which is reſpectfully ſubmitted.

SIMEON DE WITT, *Surveyor-General.*

Orderd, That the conſideration of the ſaid report be poſtponed until Tueſday next.

The Surveyor-General, to whom was referred the petition of Alexander Alford, reported, that the petitioner prays for two hundred acres of land belonging to the State in the town of Willſborough, in the county of Clinton, which he ſays he has occupied and improved for upwards of two years paſt. That he has a large family,

and does not own any land in the State; and therefore prays the Legiſlature to grant him this which he occupies as aforeſaid.

The land prayed for is probably vacant, but the other facts ſtated reſt on the declaration of the petitioner.

All which is reſpectfully ſubmitted.

SIMEON DE WITT, *Surveyor-General.*

January 19*th*, 1798.

Ordered, That the conſideration of the ſaid report be poſtponed until Tueſday next.

The Surveyor-General, to whom was referred the petition of Joſeph Black and others, reported, that by the laws Ch. 39, of the 19th ſeſſion, and Ch. 80, of the 20th ſeſſion, the tenants of Peter Smith became entitled to receive grants of the remainders and reverſions of the lands holden by them as leſſees under ſaid Peter Smith, on their paying or ſecuring by mortgages to the State the conſideration for the ſame, to be eſtimated from the average price of other lands directed to be ſold in the Oneida Reſervation; and that a releaſe was directed to be obtained from ſaid Peter Smith to certain of ſaid leſſees, to be deſignated by the agents appointed to treat with the Indians, &c. of all the rent to become due from them to him, from and after the 15th day of January, 1797. The leſſees of this deſcription being thoſe who had on or before the 1ſt day of January, 1795, obtained leaſes from, or contracted for leaſes with the ſaid Peter Smith. The lands to which they were thus entitled being 12,842 acres, and the conſideration to Peter Smith for the exoneration of rent 16,818 Dolls. 82 Cents. Thoſe who became tenants after that period are left without ſuch exoneration, and now pray for relief. The lands certified to them by ſaid Commiſſioners amount to 10,643½ acres.

The laws pointing out the Surveyor-General's duty in diſpoſing of the reſervation lands directed generally ten pounds to be required in caſh for each lot, and mortgages to be taken for the reſidue of the conſideration on making the conveyance. It ſeems, however, that by ſome this was not apprehended to extend to ſuch leſſees as aforeſaid, and it is poſſible that on this account they might not have been prepared to take their deeds within the time limited by law. The number of ſuch, however, does not appear to be conſiderable, and no material injury can reſult from indulging them with a longer term of time to comply with the conditions ſtipulated.

Another object of the prayer of the petitioners is, where death, or the acts of the proprietors of leaſes have changed titles, to enable the preſent tenants to obtain grants from the State immediately to themſelves. The Surveyor-General not being authorized to make conveyances to any but thoſe whoſe names have been certified to him as aforeſaid. Whether it is proper to grant relief in ſuch caſes, and if it is, in what manner thoſe who are entitled to grants are to be aſcertained, the wiſdom of the Legiſlature will determine.

All which is reſpectfully ſubmitted.

SIMEON DE WITT, *Surveyor-General.*

January 19*th*, 1798.

Ordered, That the ſaid report be referred to Mr. Williamſon, Mr. Brown and Mr. Van Allſtyne.

Two ſeveral meſſages from the Hon. the Senate, delivered by Mr. Nicoll and Mr. Phelps, with the bills therein reſpectively mentioned were read, that the Senate have paſſed the bill entitled "*An act to authorize the raiſing a ſum of money to build a Gaol in the county of Ontario,*" and the bill entitled "*An act concerning the Great Seal of this State,*" to which they requeſt the concurrence of this Houſe, the ſaid bills were read the firſt time and ordered a ſecond reading.

A petition of Daniel Paris and others, of the town of Canajohary, in the county of Montgomery, praying a diviſion of ſaid town, was read and referred to the Members attending in this houſe from the county of Montgomery.

Mr. Roſs, from the committee to whom was referred the petition of John Thurman, reported, that on a full inveſtigation of the claims ſet forth in his ſaid petition, they find the following ſtate of facts:

The ſaid Thurman did purchaſe the rights of location from officers and ſoldiers and obtained letters patent for 6,850 acres of land on the 18th October, 1775, in the

names of the aforeſaid officers and ſoldiers, and has deeds of conveyance from the patentees for 4,000 acres of ſaid land, and the ſaid Thurman did purchaſe of Edward and Ebenezer Jeſſup their Indian title to the aforeſaid tracts of land on the 19th April, 1776; and by the conſtitution of this State, all grants of land made by the Colonial Government, after the 14th day of October, 1775, are declared to be void. Therefore the committee beg leave to ſubmit the above ſtate of facts without giving any opinion thereon.

Ordered, That the ſaid report be committed to a committee of the whole Houſe.

Mr. M'Neal, from the committee to whom was referred the petition of Iſaac Foot, reported in favor of the petitioner, and obtained leave to bring in a bill entitled "*An act for the relief of Iſaac Foot*," which was read the firſt time and ordered a ſecond reading.

Mr. Maſon, from the committee to whom was referred the petition of Samuel Ely and others, reported in favour of the petitioners, and obtained leave to bring in a bill entitled "*An act to annex part of the county of Herkemer, called Young's patent, to the county of Otſego*," which was read the firſt time and ordered a ſecond reading.

Mr. Ogden, from the committee to whom was referred the petition of John Porteous in behalf of himſelf and Alexander Ellice, reported in favor of the petitioners, and obtained leave to bring in a bill entitled "*An act for the relief of John Porteous and Alexander Ellice*," which was read the firſt time and ordered a ſecond reading.

Mr. Mitchell, from the committee to whom was referred the petition of Aldert Rooſa and Juſtus Banks, reported in favor of the petitioners, and obtained leave to bring in a bill entitled "*An act for the relief of Aldert Rooſa and Juſtus Banks*," which was read the firſt time and ordered a ſecond reading.

Reſolved, That a committee be appointed to enquire whether any and what alterations are neceſſary in the laws relative to the diſpoſition and ſale of the unappropriated lands of this State; and that Mr. Savage, Mr. Wood and Mr. Hall be of the ſaid committee.

The Houſe proceeded to the conſideration of the amendments of the Hon. the Senate to the bill entitled "*An act conſtituting a Commiſſioner in each of the cities of New-York and Albany to do certain acts appertaining to the office of a Judge of the Supreme Court, and alſo providing that the coſts and judgment rolls ſhall be reſpectively taxed and ſigned by a Clerk of the ſaid Court, and reſpecting the acknowledgment of Deeds.*"

The bill and amendments were read, and the amendments being read a ſecond time, were concurred in by the Houſe, and the bill amended accordingly.

Ordered, That Mr. Fonda and Mr. Foot deliver the bill to the Hon. the Senate, and inform them that this Houſe have concurred in the amendments to the ſaid bill and have amended the ſame accordingly.

The Houſe proceeded to the reconſideration of the amendments of this Houſe to the bill entitled "*An act to amend an act entitled "An act concerning Sheriffs and the ſervice and return of proceſs*," which were not concurred in by the Hon. the Senate; the ſaid amendments being again read and debates had thereon, thereupon,

Reſolved, That this Houſe do adhere to their ſaid amendments.

Ordered, That Mr. Fonda and Mr. Foot deliver the ſaid bill, amendments, and a copy of the preceding reſolution, to the Hon. the Senate.

Mr. Savage from the committee of the whole Houſe on the bill entitled "*An act to prevent unneceſſary public proſecutions in caſes where the parties injured have redreſs by civil action*," reported the proceedings of the committee to have been as follows: that the enacting clauſe of the ſaid bill was read and is in the words following:

"Be it enacted by the people of the State of New-York, repreſented in Senate & Aſſembly, That in caſes where a perſon ſhall, on the complaint of another, be bound by recognizance to appear, or ſhall for the want of ſureties be committed, or ſhall be indicted for an aſſault and battery or other miſdemeanor, to the injury and damage of the party complaining, and for which there ſhall be alſo remedy by civil action, if the party complaining ſhall appear before the magiſtrate who may have taken the recognizance, or made the commitment, or before the court in which the indictment ſhall be, and acknowledge to have received ſatisfaction for ſuch injury and damage, it ſhall be lawful for the magiſtrate to diſchage the recognizance, or ſupercede the commitment,

or for the court to order a *noli proſequi* to be entered on the indictment, as the caſe may be and require.

That Mr. Brown made a motion that the ſaid bill ſhould be rejected, that debates were had thereon, and the queſtion being put whether the committee did agree to the motion of Mr. Brown, it paſſed in the negative in the manner following, viz.

For the Negative.

Mr. Arcularius,	Mr. Coryell,	Mr. Jenkins,	Mr. A. Smith,
Mr. Barber,	Mr. Deitz,	Mr. Kane,	Mr. J. Smith,
Mr. W. Barker,	Mr. De la Montagnie,	Mr. Maſon,	Mr. N. Smith,
Mr. Boyd,	Mr. Denning,	Mr. M'Cord,	Mr. Storm,
Mr. Bruyn,	Mr. J. A. De Witt,	Mr. M'Neal,	Mr. Jeſſe Thompſon,
Mr. Burling,	Mr. Foot,	Mr. Miller,	Mr. Iſrael Thompſon,
Mr. Burt,	Mr. Gray,	Mr. Moffet,	Mr. Joel Thompſon,
Mr. Campbell,	Mr. Hall,	Mr. Morſe,	Mr. Tyler,
Mr. Carman,	Mr. Halſey,	Mr. Pearſall,	Mr. Vandervoort,
Mr. Clifft,	Mr. Hatfield,	Mr. Potter,	Mr. Voſburgh,
Mr. Coe,	Mr. Henry,	Mr. Reeve,	Mr. Warner,
Mr. Comſtock,	Mr. K. Hogeboom,	Mr. Rice,	Mr. Wood. 51
Mr. Cornwell,	Mr. Hovey,	Mr. Skidmore,	

For the Affirmative.

Mr. Adams,	Mr. Fonda,	Mr. M'Farlan,	Mr. Teed,
Mr. Baldwin,	Mr. Gettman,	Mr. Metcalf,	Mr. Ten Broeck,
Mr. J. Barker,	Mr. Gregory,	Mr. Micheau,	Mr. Thomas,
Mr. T. Barker,	Mr. Hildrith,	Mr. Mitchell,	Mr. Towner,
Mr. Benton,	Mr. Hoag,	Mr. Robins,	Mr. Van Alſtyne,
Mr. Bird,	Mr. J. Hogeboom,	Mr. Roſs,	Mr. Verplanck,
Mr. Bowen,	Mr. Horton,	Mr. P. I. Schuyler,	Mr. Wendell,
Mr. Brown,	Mr. Howard,	Mr. P. P. Schuyler,	Mr. Wheeler,
Mr. Clinton,	Mr. Hunt,	Mr. Snell,	Mr. Williamſon. 39
Mr. Dewey,	Mr. Lee,	Mr. Speaker,	

Mr. Savage alſo reported further progreſs and obtained leave to ſit again.

Then the Houſe adjourned until eleven o'clock on Monday morning next.

Monday, eleven o'clock, A. M. January 22d, 1798.

The bill entitled "*An act for the relief of John Porteous and Alexander Ellice,*" the bill entitled "*An act for the relief of Juſtus Banks and Aldert Rooſa,*" the bill entitled "*An act for the relief of Iſaac Foot,*" the bill entitled "*An act to annex part of the county of Herkemer called Young's Patent, to the county of Otſego,*" the bill entitled "*An act to authorize the raiſing a ſum of money to build a gaol in the county of Ontario,*" and the bill entitled "*An act concerning the Great Seal of this State,*" were ſeverally read the ſecond time and committed to a committee of the whole houſe.

A petition of Robert Marſh relative to the title to a lot of land in a tract called New-Peterſburgh, in Herkemer county, was read and referred to Mr. Williamſon, Mr. Brown and Mr. Van Alſtyne.

A petition of Alexander Clark, an alien, praying that he may be by law enabled to purchaſe and hold real eſtates within this State, was read and committed to a committee of the whole Houſe when on the bill entitled "*An act to enable certain perſons therein named to purchaſe and hold real eſtates within this State.*"

Mr. Brown from the committee of the whole Houſe to whom was recommitted the engroſſed bill entitled "*An act for the relief of Seth R. Kneeland and Barzillai Duſenbury,*" reported progreſs and obtained leave to ſit again.

A meſſage from the Hon. the Senate, delivered by Mr. Phelps and Mr. Ruſſell, with the bill therein mentioned, was read, That the Senate have paſſed the bill entitled "*An act authorizing the uſe of paper inſtead of parchment in certain legal proceedings,*" to which they requeſt the concurrence of this Houſe. The ſaid bill was read the firſt time and ordered a ſecond reading.

The Hon. the Senate returned by Mr. Phelps and Mr. Ruſſell the bill entitled "*An act for dividing the town of Willſborough in the county of Clinton.*"

Ordered, That Mr. Foot and Mr. Fort deliver the bill to the Hon. the Council of Reviſion.

A copy of a reſolution of the Hon. the Senate alſo delivered by Mr. Phelps and Mr. Ruſſell, was read, and is in the words following, viz.

Reſolved, (if the Hon. the Aſſembly concur herein) That a joint committee of the Senate and Aſſembly be appointed to enquire into the ſtate of the lotteries directed to be made by the act entitled "*An act for opening and improving certain great roads within this State*," and to report what further Legiſlative proviſion, if any, is neceſſary reſpecting the ſaid lotteries, or for opening and improving the ſaid roads, and in caſe of ſuch concurrence that Mr. L'Hommedieu, Mr. Sands and Mr. T. Morris be of the ſaid committee on the part of the Senate.

Reſolved, That this Houſe do concur with the Hon. the Senate in their ſaid reſolution, and that Mr. Williamſon, Mr. Bowman, Mr. Hunt, Mr. Moffett and Mr. Metcalfe be of the ſaid committee on the part of this Houſe.

Ordered, That Mr. Fonda and Mr. Foot deliver a copy of the preceding reſolution to the Hon. the Senate.

Mr. De La Montagnie from the committee of the whole houſe on the bill entitled "*An act concerning the charter to the Miniſter, Elders and Deacons of the Reformed Proteſtant Dutch Church in the city of Albany*," reported the proceedings of the ſaid committee to have been as follows, viz.

That the firſt enacting clauſe of the ſaid bill was read and is in the words following, viz.

"Be it enacted by the people of the State of New-York repreſented in Senate and Aſſembly, That for removing the ſaid doubts in caſe of a plurality of miniſters in the ſaid church or congregation, only the miniſter who ſhall at any time preſide in the conſiſtory of the ſaid church or congregation, ſhall for the time being be conſidered a member of the ſaid conſiſtory, but that they ſhall ſeverally be preſident of the ſaid conſiſtory *by turns* in ſuch manner as ſhall be ordained by rules or orders to be from time to time made by the conſiſtory in that behalf."

That Mr. Wood made a motion in the ſaid committee that the ſaid clauſe ſhould be expunged, and the queſtion being put thereon, it paſſed in the negative.

That Mr. Clinton then made a motion, that the committee ſhould agree to amend the ſaid clauſe to read as follows, viz.

"Be it enacted by the people of the State of New-York repreſented in Senate and Aſſembly, that for removing the ſaid doubts in caſe of a plurality of miniſters in the ſaid church or congregation, all the ſaid miniſters ſhall be members of the ſaid conſiſtory, and ſhall ſeverally preſide therein by turns, in ſuch manner as ſhall be ordained by rules or orders to be from time to time made by the conſiſtory in that behalf."

That Mr. Comſtock then made a motion that the committee ſhould agree to a reſolution in the words following, viz.

"*Reſolved* as the ſenſe of this committee, that it would be highly improper for the Legiſlature to interfere in any religious or eccleſiaſtical diſputes between the miniſter, elders and deacons of any religious denomination whatever, relative to their reſpective rights under their charters, and that the committee of the whole be diſcharged from any further conſideration of the bill."

That a queſtion of order aroſe on the ſaid propoſed reſolution of Mr. Comſtock; and that it was declared not to be in order.

That the queſtion being put whether the committee did agree to the amendment propoſed by the motion of Mr. Clinton, it paſſed in the negative in the manner following, viz.

For the Negative.

Mr. Adams,	Mr. Comſtock,	Mr. Lee,	Mr. Skidmore,
Mr. Arcularius,	Mr. Cornwell,	Mr. M'Cord,	Mr. A. Smith,
Mr. Baldwin,	Mr. J. A. De Witt,	Mr. M'Farlin,	Mr. J. Smith,
Mr. Barber,	Mr. J. C. De Witt,	Mr. Metcalfe,	Mr. N. Smith,
Mr. J. Barker,	Mr. Fonda,	Mr. Micheau,	Mr. Snell,
Mr. T. Barker,	Mr. Foot,	Mr. Miller,	Mr. Storm,
Mr. W. Barker,	Mr. Gray,	Mr. Mitchell,	Mr. Teed,
Mr. Benton,	Mr. Gregory,	Mr. Moffet,	Mr. Thomas,
Mr. Bowen,	Mr. Hall,	Mr. Potter,	Mr. Jeſſe Thompſon,
Mr. Bowman,	Mr. Halſey,	Mr. Reeve,	Mr. Iſrael Thompſon,
Mr. Boyd,	Mr. Henry,	Mr. Rice,	Mr. Towner,
Mr. Burt,	Mr. Hiidrith,	Mr. Robins,	Mr. Wendell,
Mr. Campbell,	Mr. Howard,	Mr. P. P. Schuyler,	Mr. Wood. 54
Mr. Carman,	Mr. Jenkins,		

For the Affirmative.

Mr. Clifft,	Mr. Hatfield,	Mr. Savage,	Mr. Van Alſtyne,
Mr. Clinton,	Mr. Hoag,	Mr. Speaker,	Mr. Verplank,
Mr. Coe,	Mr. K. Hogeboom,	Mr. Ten Broeck,	Mr. Voſburgh,
Mr. Deitz,	Mr. Holly,	Mr. Joel Thompſon,	Mr. Warner,
Mr. Gettman,	Mr. M'Neal,	Mr. Vandervoort,	Mr. Williamſon.

That Mr. Storm then made a motion that the committee ſhould agree to add the following proviſo at the end of the firſt enacting clauſe of the ſaid bill, viz.

Provided always, That nothing in this act contained ſhall be conſtrued to abridge the powers and privileges of any of the ſaid Miniſters reſpecting the exerciſe of Chriſtian diſcipline in the ſaid Church, according to the rules of Church Government, ratified in the Synod of Dordrecht, in the years 1618 and 1619, and adopted by the General Synod of the Reformed Proteſtant Dutch Church in New-York, the 10th October, 1792.

That the queſtion being put whether the committee did agree to the motion of Mr. Storm, it was carried in the affirmative.

Mr. De La Montagnie further reported, that the committee had gone through the bill and made amendments, which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the amendments be engroſſed.

Then the Houſe adjourned until eleven o'clock to-morrow morning.

Tueſday, eleven o'clock, A. M. January 23d, 1798.

The bill entitled "*An act authorizing the uſe of Paper inſtead of Parchment in certain legal proceedings,*" was read the ſecond time, and committed to a committee of the whole Houſe.

The bill entitled "*An act concerning the charter to the Miniſter, Elders and Deacons of the Reformed Proteſtant Dutch Church in the city of Albany,*" with the engroſſed amendments, was read the third time.

Reſolved, That the bill do paſs.

Ordered, That Mr. Foot and Mr. Fort deliver the bill to the Hon. the Senate, and inform them that this Houſe have paſſed the bill with the amendments therewith delivered.

A petition of William Brink and William Alferd, praying grants of vacant lands in the town of Cincinnatus, in the county of Onondaga, was read and referred to the Surveyor-General.

Five ſeveral petitions of the freeholders and inhabitants of the town of Norwich, in the county of Tioga, praying that the twenty towns and the gore, ſo called, may be erected into a ſeparate County, were read and referred to Mr. Hovey, Mr. Coryell, Mr. Holt, Mr. Dewey and Mr. Tyler.

A petition of Aury Smith and others, and a petition of Iſaac Blanch and others, freeholders and inhabitants of Clarkeſtown, in the county of Orange, relative to the 24th ſection of the act entitled "*An act to regulate Highways,*" as the ſame reſpects ſwinging gates, was read and referred to the committee appointed to enquire whether any and what amendments are neceſſary in the ſaid act.

Nine ſeveral petitions of the freeholders and inhabitants of the towns of Hamilton, Sangerfield, Brookfield and Sherburne, in the county of Herkemer, praying that part of the ſaid County may be erected into a ſeparate County, and ſix ſeveral remonſtrances againſt the prayer of the ſaid petitions were read, and referred to Mr. Howard, Mr. Iſrael Thompſon, Mr. Jacob Smith, Mr. Joel Thompſon and Mr. Foot.

A petition of Alida Herkemer, widow, and John Herkemer and others, heirs of George Herkemer, deceaſed, praying that a law may be paſſed, authorizing commiſſioners to divide the whole of the real eſtate of the ſaid George Herkemer among his heirs, according to the intereſt they reſpectively hold, or are entitled to therein, was read, and referred to Mr. Griſwold, Mr. K. Hogeboom and Mr. M'Farlan.

A petition of Jonathan Botsford and others, praying to be allowed the like privilege of affirming inſtead of ſwearing in Courts of Juſtice, as is allowed to the people called Quakers, was read, and committed to the committee of the whole Houſe.

A petition of Alexander Comrie, praying compenſation for improvements on a lot of land ſold by the commiſſioners of forfeitures for the Weſtern Diſtrict, was read, and referred to the Comptroller to report thereon.

A petition of Richardſon Thurman and others, inhabitants of the town of Thurman in the county of Waſhington, praying a diviſion of the ſaid town, was read, and referred to Mr. Maſon, Mr. Pride and Mr. Roſs.

A petition of Catherine Curtenius and Peter Curtenius, was read and referred to the Attorney-General.

A petition of the Directors of the Mutual Aſſurance Company in the city of New-York, praying an act of incorporation, was read, and referred to Mr. Robins, Mr. Brown, Mr. Clifft, Mr. Fonda and Mr. Clinton.

A petition of Stephen Hendrickſon and others, proprietors of the line of ſtages plying between New-York and Albany, praying that they may be authorized by law to eſtabliſh a turnpike road between Fiſh-Kill and Kingſbridge, was read, and referred to Mr. Mitchell, Mr. Metcalfe, Mr. Williamſon, Mr. P. L. Schuyler and Mr. Prince.

A petition and remonſtrance of David W. Golden and others, againſt annexing the town of Warren to the county of Otſego, was read, and committed to the committee of the whole Houſe when on the bill entitled "*An act to annex part of the county of Herkemer called Young's Patent, to the county of Otſego.*"

A petition of Stewart and Jones and others of the city of New-York, praying that a law may be paſſed to ſecure ſhip-carpenters and other mechanics and tradeſmen from being defrauded out of their demands for ſhip-building, &c. was read, and referred to Mr. Denning, Mr. Jenkins and Mr. Reeve.

A petition of Jonas Coe and others, and a petition of Seth Crocker and others, praying a reviſion of the laws for ſuppreſſing vice and immorality, were read, and referred to the committee to whom was referred that part of his Excellency the Governor's ſpeech relative to the Sabbath.

A meſſage from his Excellency the Governor, delivered by his private ſecretary, was read, and is in the words following, viz.

GENTLEMEN,

I yeſterday received, and now take the earlieſt opportunity of laying before you, a report from the Commiſſioners for erecting a State Priſon in the city of New-York. That the late benevolent alterations in the criminal law of this State may have a fair and full trial, it appears to me indiſpenſable that the State Priſon be ſpeedily and completely finiſhed.

JOHN JAY.

Albany, January 23d, 1798.

Ordered, That the meſſage of his Excellency the Governor together with the report accompanying the ſame, be committed to a committee of the whole Houſe.

Ordered, That the ſaid report be forthwith printed, and that 150 copies thereof be furniſhed for the uſe of this Houſe.

The Comptroller, to whom was referred the petition of Jared Hoyt and the vouchers accompanying the ſame, reported, that it thereby appears that the petitioner then an inhabitant of this State, in the year 1779, enliſted as a ſoldier in the regiment of light dragoons commanded by Colonel Eliſha Sheldon, and ſerved therein until the cloſe of the war, when he was diſcharged. He has received from the United States the bounty land promiſed by Congreſs: but ſtates in his petition that he has not been able to procure the bounty land of the State granted to ſoldiers ſo ſerving, and his application to the Legiſlature is for relief. But the regiment commanded by Col. Sheldon is not entitled to bounty lands by any act or reſolution of the Legiſlature of this State; and therefore the Comptroller is of opinion, that the petitioner is not entitled to any relief.

All which is reſpectfully ſubmitted.

SAMUEL JONES, *Comptroller.*

Albany, January 22d, 1798.

Ordered, That the ſaid report, together with the ſaid petition and vouchers, be committed to a committee of the whole Houſe.

The Comptroller, to whom was referred the petition of Ward Hunt, reported, that the petitioner ſets forth in his petition, that after the war between the United States

and the king of Great-Britain, he purchaſed of the commiſſioners of forfeitures for the Southern Diſtrict, ſeveral farms in the county of Weſtcheſter, forfeited by the attainder of Frederick Philips; that after the purchaſe, the tenants of the ſaid farms withheld the poſſeſſion from the petitioner, by reaſon whereof he was compelled to inſtitute ſuits at law, and to have recourſe to other legal meaſures to recover poſſeſſion of the ſaid farms; and in the proſecution thereof, was obliged to lay out and expend divers ſums of money, and incur ſundry charges and expenſes, and ſpend a conſiderable portion of his time. That having purchaſed under the title of the State, and under the faith of the warranty contained in the act for the ſale of forfeited eſtates, he conceives himſelf entitled to a compenſation from the juſtice of the State: And therefore, in the moſt reſpectful manner, prays the Legiſlature to grant him ſuch relief as may ſeem meet.

The petition is not accompanied with any voucher; But, ſuppoſing the facts ſtated in the petition to be true, the Comptroller is of opinion that the petitioner is not entitled to any relief from the State; becauſe the warranty mentioned in the petition does not extend to coſts or expenſes of ſuit againſt treſpaſſers; and upon his recovery of the poſſeſſion of the land, the law gave him an adequate remedy againſt thoſe who had held it againſt him, to recover not only his coſts and expenſes, but alſo the meſne profits of the land; and his relinquiſhing that remedy, or not purſuing it, cannot give him a right to reſort to the State.

All which is reſpectfully ſubmitted. SAMUEL JONES, *Comptroller.*

Reſolved, That the Houſe do approve of the report of the Comptroller.

Mr. Williamſon, in behalf of Mr. Deitz, from the committee appointed to enquire whether any and what alterations are neceſſary in the act entitled "*An act to regulate Highways*," reported, that in the opinion of the committee ſeveral additional clauſes ought to be enacted, and ſome alterations made in certain clauſes of the ſaid act: Mr. Williamſon accordingly aſked for and obtained leave to bring in a bill entitled "*An act to amend an act entitled "An act to regulate Highways*," which was read the firſt time and ordered a ſecond reading.

Purſuant to the order of the day, the Houſe proceeded to the conſideration of the report of the commiſſioners of the land-office on the petition of Levi Farr and others, and alſo the reports of the Surveyor-General on the ſeveral petitions of Alexander Alford, Samuel F. Smith and others, and Nathaniel Collins and others: thereupon,

Ordered, That the ſaid reports be referred to Mr. Savage, Mr. Wood, and Mr. Hall.

Mr. Clinton from the committee to whom was referred the reports of the Attorney-General on the ſeveral petitions of Elizabeth Van Cortlandt, Peter Schermerhorn and Solomon Simpſon, reported, that in their opinion, the Houſe ought to approve of the ſaid reports: thereupon,

Reſolved, That the Houſe do approve of the reports of the Attorney-General on the ſaid petitions.

Mr. Brown from the committee of the whole Houſe on the bill entitled "*An act to regulate the fiſhing at the Narrows in King's and Richmond counties*," reported, that after the ſaid bill had been read in the ſaid committee, Mr. Mitchell made a motion, that the ſaid bill ſhould be rejected, that debates were had thereon, and the queſtion being put, whether the committee did agree to the motion of Mr. Mitchell, it was carried in the affirmative in the manner following, viz.

For the Affirmative.

Mr. Adams,	Mr. De la Montagnie,	Mr. Kane,	Mr. A. Smith,
Mr. Arcularius,	Mr. Denning,	Mr. Lee,	Mr. T. Smith,
Mr. Baldwin,	Mr. J. C. De Witt,	Mr. Maſon,	Mr. J. Smith,
Mr. Barber,	Mr. Dewey,	Mr. M'Cord,	Mr. N. Smith,
Mr. T. Barker,	Mr. Fonda,	Mr. M'Farlan,	Mr. Snell,
Mr. W. Barker,	Mr. Foot,	Mr. M'Neal,	Mr. Storm,
Mr. Benton,	Mr. Fort,	Mr. Micheau,	Mr. Speaker,
Mr. Bowen,	Mr. Gray,	Mr. Mitchell,	Mr. Teed,
Mr. Boyd,	Mr. Gregory,	Mr. Moffet,	Mr. Jeſſe Thompſon,
Mr. Bruyn,	Mr. Griſwold,	Mr. Morſe,	Mr. Iſrael Thompſon,
Mr. Burling,	Mr. Hall,	Mr. Ogden,	Mr. Joel Thompſon,
Mr. Burt,	Mr. Halſey,	Mr. Prince,	Mr. Tyler,
Mr. Clark,	Mr. Hatfield,	Mr. Reeve,	Mr. Van Alſtyne,
Mr. Clifft,	Mr. Heermance,	Mr. Rice,	Mr. Warner,
Mr. Clinton,	Mr. Hoag,	Mr. Robins,	Mr. Wendell,
Mr. Coe,	Mr. Holt,	Mr. Roſs,	Mr. Weſt,
Mr. Comſtock,	Mr. Horton,	Mr. Savage,	Mr. Wheeler,
Mr. Coryell,	Mr. Hovey,	Mr. P. P. Schuyler,	Mr. Williamſon. 73
Mr. Deitz,	Mr. Hunt,		

For the Negative.

Mr. J. Barker,	Mr. Henry,	Mr. Jenkins,	Mr. Ten Broeck,
Mr. Campbell,	Mr. Hildrith,	Mr. Miller,	Mr. Towner,
Mr. Carman,	Mr. K. Hogeboom,	Mr. Pearſall,	Mr. Vandervoort,
Mr. Cornwell,	Mr. Holly,	Mr. Potter,	Mr. Voſburgh,
Mr. J. A. De Witt,	Mr. Howard,	Mr. Pride,	Mr. Wood. 21
Mr. Gettman,			

Which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe: thereupon,

Reſolved, That the ſaid bill be, and it is hereby rejected.

Ordered, That Mr. Burr be added to the committee to whom was referred that part of his Excellency the Governor's ſpeech relative to the militia law of this State.

Ordered, That the Clerk deliver to Mr. M'Cord, one of the Members of this Houſe, the petition and vouchers of David Wandle, which were preſented to the Legiſlature at the laſt ſeſſion.

Ordered, That the committee of the whole Houſe be diſcharged from the further conſideration of the bill entitled "*An act to prevent unneceſſary public proſecutions in caſes where the parties injured have remedy by civil action,*" and that the ſame be committed to Mr. De La Montagnie, Mr. Griſwold and Mr. Gregory.

Then the Houſe adjourned until eleven o'clock to-morrow morning.

Wedneſday, eleven o'clock, A. M. January 24th, 1798.

The bill entitled "*An act to amend the act entitled "An act to regulate Highways,*" was read the ſecond time and committed to a committee of the whole Houſe.

A petition of John Pierce and others, praying grants of vacant lands in the county of Waſhington, was read and referred to Mr. Savage, Mr. Wood and Mr. Hall.

Three ſeveral petitions of aliens, praying to be enabled by law to purchaſe and hold real eſtates within this State, were read and referred to the committee of the whole Houſe, when on the bill entitled "*An act to enable certain perſons therein named to purchaſe and hold real eſtates within this State.*"

A petition of Nathan Hand and others, freeholders and inhabitants, reſiding on and near the highway leading from Maſſachuſetts by Lebanon ſprings, to the city of Albany, praying that a law may paſs inſtituting a turnpike corporation for ſtraitning and repairing ſaid highway, was read and referred to Mr. Jenkins, Mr. Weſt and Mr. Bird.

A petition of John M'Dougall, praying a grant of bounty lands for his ſervices as a ſoldier in the firſt battalion of New-York forces during the late war, was read, and referred to Mr. Hatfield, Mr. Burr and Mr. Snell.

A petition of Abraham J. Yates and others, deviſees of Cornelius K. Vandenbergh late of the city of Albany, deceaſed, praying that a law may be paſſed authorizing Abraham J. Yates, an executor named in the laſt will and teſtament of the ſaid Cornelius K. Vandenbergh, to ſell and diſpoſe of a lot of ground at public vendue, and to diſtribute the money ariſing from ſuch ſale to and amongſt the ſaid deviſees in proportion to their intereſt in the ſaid lot under the ſaid will, was read and referred to the Attorney-General.

Mr. Benton, from the committee to whom was referred the petition of Seth Andrus and others, reported againſt the prayer of the petition, which was agreed to by the Houſe.

Mr. Metcalfe, from the committee of the whole Houſe on the bill entitled "*An act granting a bounty on hemp raiſed within this State,*" reported, that after the ſaid bill had been read in the committee, Mr. Maſon made a motion that the committee ſhould agree to reject the ſaid bill, that debates were had thereon, and the queſtion being put whether the committee did agree thereto, it was carried in the affirmative, which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe: thereupon,

Reſolved, That the ſaid bill be, and it is hereby rejected.

Two ſeveral meſſages from the Hon. the Senate, delivered by Mr. Sands and Mr. Savage, with the bills therein reſpectively mentioned, were read, that the Senate have

paſſed the bill entitled "*An act concerning the court of General Seſſions of the Peace, and the gaol for offenders in and for the city and county of New-York,*" and the bill entitled "*An act for the relief of Jabez Johnſon and others,*" to which they ſeverally requeſt the concurrence of this Houſe; the ſaid bills were read the firſt time and ordered a ſecond reading.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Sands and Mr. Savage with the bill therein mentioned, was read, that the Senate have concurred in the amendments of this Houſe to the bill entitled "*An act concerning the Charter to the Miniſter, Elders and Deacons of the Reformed Proteſtant Dutch Church in the city of Albany,*" and have amended the ſame accordingly.

Ordered, That Mr. Fort and Mr. Gettman return the bill to the Hon. the Senate.

Mr. Burling from the committee of the whole Houſe on the bill entitled "*An act ſupplementary to the act entitled "An act relative to acknowledgment of Deeds,*" reported, that the committee had gone through the bill, made amendments, and added a clauſe, which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the bill as amended be engroſſed.

Mr. Speaker laid before the Houſe the accounts of Gerard Bancker, Eſq. Treaſurer of this State, with a certificate of the gentlemen appointed by law to examine the ſtate of the Treaſury; which certificate and accounts are in the words and figures following, viz.

DR. *The State of New-York in Account current with* GERARD BANCKER, *Treaſurer.*

CR.

January 8, 1798.	Dolls.	Cts.	Ms.	January 8, 1798.	Dolls.	Cts.	Ms.
To amount of an account of payments made ſince the 30th day of June laſt	124,497	77		By balance due the State on a ſettlement of my accounts on the 30th day of June laſt	5,021	95	
Balance now in the treaſury	49,195	12	1	Amount of an account of receipts into the treaſury ſince the 30th day of June laſt	168,667	94	1
Dolls.	173,689	89	1	*Dolls.*	173,689	89	1

Errors excepted.

GERARD BANCKER, *Treaſurer.*

NEW-YORK, January 8, 1798.

WE the ſubſcribers, in purſuance of concurrent reſolutions of the Senate and Aſſembly of this State, of the 8th day of March, 1793, and of an act of the Legiſlature paſſed the 3d January, 1797, entitled "An act further to continue the Treaſurer of this State in office," DO hereby certify, that the accounts of Gerard Bancker, treaſurer, are regularly ſtated and balanced; and alſo, that the balance of monies, to wit, forty-nine thouſand, one hundred and ninety-five dollars, twelve cents, and one mill, and ſecurities for one hundred ſhares in the Bank of New-York; one hundred and fifty-two ſhares in the Bank of the United States; fifty ſhares in the Bank of Albany; two hundred ſhares in the Weſtern Inland Lock Navigation; two hundred ſhares in the Northern Inland Lock Navigation; ſeven hundred and fifty-ſeven thouſand, one hundred and five dollars, and fifty cents of three per cent. Funded Debt; a ſecurity from the Preſident, Directors and Company of the Bank of New-York for five hundred and ſixty-ſix thouſand, four hundred and ſixty-three dollars, and ſeventy cents of ſix per cent. Funded Debt, and ſeven hundred and ninety-nine thouſand, ſix hundred and eighty-ſix dollars, and fifty-one cents of deferred ſix per cent. Funded Debt; and a ſecurity for fifteen thouſand pounds loaned to the Weſtern Inland Lock Navigation, belonging to the State, are actually in the treaſury, or depoſited as directed by law. WITNESS our hands at New-York, this 8th day of January, in the year one thouſand ſeven hundred ninety-eight.

JON. LAWRENCE,
JNO. BROOME.

ABSTRACT of Caſh received by the Treaſurer in 1797.

From 10th January to 1ſt May.

	£		
FOR Vendue duty	3,826	6	
Intereſt on 1786 loan	326	14	
Waſte Lands	108	6	
Intereſt, &c. on 6 per cent. ſtock	16,714	15	11
Ditto on 3 do.	2,231	6	3
Six months dividend on United States Bank Stock	972	16	
Arrears of Taxes	120		
Six months dividend on New-York Bank Stock	900		
Intereſt on Brothertown Mortgages	102		6
Intereſt on private loans	672		
	£25,974	4	8

From 1ſt May to 1ſt July.

	£		
For Vendue duty	744	17	10
Intereſt on 1792 loan	3,751	17	8
Waſte Lands	574	10	
Arrears of Taxes	587	12	8¾
Dividend and Surplus on New-York Bank Stock	1,800		
On loan from New-York Bank	26,000		
Intereſt on private loans	180		
Fees of office from State Secretary	83	6	4
Quit Rents	307	16	9
Intereſt on Brothertown Mortgages	654	10	6
Refunded by Commiſſioners of Albany State Priſon	6,888	7	
From Iſrael Spencer and Aſſociates	480		
	£42,052	18	9¾

From 1ſt July, 1797, to 8th January, 1798.

	Dolls.	Cts.	Ms.
For Vendue duty	17,672	48	
Intereſt on 1786 loan and part principal	18,869	3	
Ditto on 1792 loan	15,343	57	
Waſte Lands	57,678		
Intereſt on 3 per cent. ſtock	11,356	58	
Ditto on New-York Bank bond	16,993	91	
From Simeon De Witt	11,010	28	
Borrowed from New-York Bank	8,000		
Dividend on United States Bank ſtock	2,432		
Ditto on New-York ditto	2,250		
Intereſt on private loans	3,075		
Quit Rents	1,093	80	6
Fees of office from the State Secretay	426	5	5
Intereſt on Brothertown Mortgages	450	98	
Ditto on Cayuga ditto	448	36	
From Commiſſioners of Fortifications	657	89	
A dividend on Albany Bank ſtock	900		
A repayment from the Attorney-General	10		
Dolls.	168,667	94	1

GERARD BANCKER, TREASURER.

JANUARY 8*th*, 1798.

ABSTRACT of Caſh paid by the Treaſurer in 1797.

From 10th January to 1ſt May.

	£		
TO Officers of Government, Legiſlature, &c.	30,507	9	7
Certificates redeemed	414	12	2
Claims on forfeited Eſtates	30		
Weſtern Inland Lock Navigation	2,000		
Oneida, Onondaga and Cayuga Indians, their annuity	3,407	14	3
For the Encouragement of Schools	6,434		
To New-York Hoſpital	1,250		
For the ſupport of St. Domingo Refugees	600		
To Indian Commiſſioners	989	12	
	£ 45,633	8	

From 1ſt May to 1ſt July.

To the Officers of Government, &c.	1,337		½
Redeem Certificates	59	16	10
For Claims on forfeited Eſtates	734	3	2
The State Priſon New-York	14,000		
The Encouragement of Schools	10,739		
To State Priſon Inſpectors	1,800		
New-York Hoſpital	1,000		
Support St. Domingo Refugees	400		
Commiſſioners of Fortifications	800		
For fifty Shares Albany Bank Stock	8,000		
To Catharine Paris, her Penſion	30		
Improve Hudſon River	3,000		
	£ 41,900		½

From 1ſt July, 1797, to 8th January, 1798.

	Dolls.	Cts.Ms.
To the Officers of Government, &c.	20,993	61
For the State Priſon New-York	40,000	
To the Weſtern Inland Lock Navigation	5,000	
New-York Hoſpital	6,250	
New-York State Priſon Inſpectors	8,062	50
For the Encouragement of Schools	7,067	50
To Indian Commiſſioners	2,713	80
The Commiſſioners of Fortifications	4,000	
Support New-York Poor	2,000	
The Superintendant of Salt Works	2,000	
Procure Field Artillery	4,432	92
For Certificates Redeemed	366	93
Claims on Forfeited Eſtates	527	31
To St. Regis Indians	533	33
John Swany, a Penſioner	50	
Paper Money, emitted in 1788, Cancelled	20,496	87
Dolls.	124,494	77

GERARD BANCKER, TREASURER.

JANUARY 8*th*, 1798.

Ordered, That 150 copies of the Treaſurer's account be forthwith printed for the uſe of the Members of this Houſe.

The Surveyor-General, to whom was referred the petition of Catharine Weſterlo and others, reported, that the grants made by the State to the proprietors of Palmer's purchaſe, and to the petitioners, were in conſequence of equitable claims exiſting before the revolution, and ſince examined and confirmed by the Commiſſioners of the land office. Palmer's purchaſe was divided among ſundry of the claimants, and ſurveyed, marked and patented to them in ſeparate tracts to the extent of the purchaſe as deſignated by given diſtances in their claims as aforeſaid. The tract which is the ſubject of the petition was deſcribed as beginning at a known point in Totten and Croſsfield's purchaſe, and running thence certain given courſes and diſtances round the ſame to the place of beginning; according to which, the patent was iſſued without a previous ſurvey, other than what was preſumed to have been made before the revolution. It appears now, by the petition, that a ſurvey has lately been made of this tract, and that the courſes and diſtances given as aforeſaid carry it in part over the lands patented in Palmer's purchaſe. The Surveyor-General has no doubt that there is ſuch an interference; but as the ſurvey has not been made under his direction he cannot vouch for the preciſe quantity. Whether any and what relief the petitioners are entitled to is reſpectfully ſubmitted.

SIMEON DE WITT, *Surveyor-General.*

January 23*d*, 1798.

Ordered, That the ſaid report and petition be referred to Mr. Denning, Mr. Deitz and Mr. Hoag.

Mr. Carman, from the committee of the whole Houſe, on the bill entitled "*An act authorizing the uſe of Paper inſtead of Parchment, in certain legal proceedings,*" reported, that the committee had gone through the bill without amendment, which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That Mr. Fort and Mr. Gettman deliver the bill to the Hon. the Senate, and inform them that this Houſe have paſſed the ſame without amendment.

Mr. Benton, from the committee of the whole Houſe, on the report of the Comptroller, on the petition of Jared Hoyt, reported progreſs, and obtained leave to ſit again.

Reſolved, That a committee be appointed to examine the laws and reſolutions relative to the granting of bounty lands to citizens of this State, not being contemplated by the reſolutions of the Legiſlature of this State, paſſed in March, 1783, and to report the ſtate thereof to this Houſe; and that Mr. Bird, Mr. Comſtock, Mr. Boyd, Mr. Metcalfe and Mr. Thomas be of the ſaid committee.

Ordered, That the two committees to whom were referred the ſeveral petitions from the counties of Tioga and Herkemer for erecting a ſeparate county, be conſidered as one committee.

Ordered, That Mr. Howard and Mr. Mitchell be added to the committee to whom is referred the bill entitled "*An act to prevent unneceſſary public proſecutions in caſes where the parties injured have remedy by Civil Action.*"

Then the Houſe adjourned until eleven o'clock to-morrow morning.

Thurſday, eleven o'clock, A. M. January 25*th*, 1798.

The bill entitled "*An act for the relief of Jabez Johnſon and others,*" and the bill entitled "*An act concerning the Courts of General Seſſions of the Peace, and the Gaol for offenders in and for the city and county of New-York,*" were ſeverally read the ſecond time, and committed to a committee of the whole Houſe.

A petition of John Fraſer, praying a grant of vacant lands in the county of Schorarie, was read, and committed to a committee of the whole Houſe, when on the bill entitled "*An act authorizing the Commiſſioners of the land office to grant letters patent to Daniel Miller, David Warner and George Warner for certain lands therein mentioned.*"

A petition of James Holcomb and others, inhabitants of the county of Albany, praying a reviſion of the laws relative to the impriſonment of debtors, was read, and referred to Mr. Metcalfe, Mr. Burr, Mr. Bird, Mr. Bowman and Mr. Wood.

A petition of John Miller and others, inhabitants of the town of Homer, in the county of Onondaga, praying a diviſion of ſaid town; and a petition of John A.

Thompſon and others, praying that the town of Sempronius, together with part of the town of Scipio, may be erected into a ſeparate town, were ſeverally read, and referred to Mr. Halſey, Mr. Tyler and Mr. Jeſſe Thompſon.

A petition of Jonas C. Baldwin, and a petition of James Van Horne and others, inhabitants of the town of Ovid, in the county of Onondaga, praying a leaſe of lot number 23 in ſaid town, for the purpoſe of erecting a griſt-mill thereon; and a petition of John Leonard and others, ſtating that they have made improvements on certain lands belonging to the people of this State, reſerved for the purpoſe of promoting the Goſpel and public ſchools in the town of Ovid, in the county of Onondaga, praying that they may be permitted to enjoy their improvements, were ſeverally read, and referred to the joint committee of the Senate and Aſſembly, on the ſubject of Goſpel and ſchool lots.

A petition of David Hobby of the town of North-Caſtle in the county of Weſtcheſter, relative to quit rents due on a certain patent of land granted to Caleb Heathcott and company of Weſtcheſter, on the 17th March, 1701, was read, and referred to the committee to whom was referred that part of his Excellency the Governor's ſpeech relative to quit rents.

A petition of Joſeph Kline and a petition of John Page and others, inhabitants of the town of Scaghtikoke in the county of Renſſelaer, relative to erecting a toll bridge in ſaid town, were ſeverally read and referred to Mr. Fort, Mr. Cornwell and Mr. Bowen.

A petition of Mary Swords, widow of Thomas Swords, late a lieutenant in the Britiſh 55th regiment of foot, praying a grant of lands in lieu of certain lands claimed by her late huſband, was read and referred to the Comptroller to report thereon.

A petition of Roeloff Van Stophorſt, and a petition of John G. Van Stophorſt, aliens, praying that they may be enabled by law to purchaſe and hold real eſtates within this State, were ſeverally read and committed to a committee of the whole Houſe when on the bill entitled "*An act to enable certain perſons therein named to purchaſe and hold real eſtates within this State.*"

A petition of the Mayor, Aldermen and Commonalty of the city of New-York, relative to the maintenance of the emigrant poor of the ſaid city, was read and referred to Mr. Warner, Mr. Carman, Mr. Verplank, Mr. Kane and Mr. Burr.

A petition of David Williamſon and George Gray, jun. and the petition of Margaret Garret, relative to the eſtate of Charles I. Brannon, late of the city of New-York, deceaſed, were ſeverally read and referred to the Attorney-General.

Mr. Savage from the committee to whom was referred that part of his Excellency the Governor's ſpeech relative to the obſervation of the Sabbath, reported, that the committee being impreſſed with this ſolemn truth, that righteouſneſs exalteth a nation, and that ſin is a reproach to any people, and alſo conſidering the poſitive command of the Supreme Lawgiver, "Remember the Sabbath day to keep it holy," as being a moral duty and binding upon all men, and alſo viewing with ſincere regret the frequent and open violations of the Sabbath, they are of opinion, that the law reſpecting the Sabbath ought to be ſo altered as to prevent the profanation thereof, at leaſt ſo far as ſuch practices tend to diſturb the peace and good order of civil ſociety; that the committee have prepared a bill for that purpoſe, and have directed him to move for leave to bring in the ſame; leave being given accordingly, Mr. Savage brought in the ſaid bill entitled "*An act to prevent the profanation of the Sabbath,*" which was read the firſt time and ordered a ſecond reading.

Mr. Maſon from the committee to whom was referred the petition of Richardſon Thurman and others, reported in favour of the petitioners, and obtained leave to bring in a bill entitled "*An act to divide the town of Thurman in the county of Waſhington,*" which was read the firſt time and ordered a ſecond reading.

A meſſage from his Excellency the Governor delivered by his private ſecretary, was read and is in the words following, viz.

Gentlemen,

The ſum of money appropriated by the Legiſlature the laſt year for the ſupport of the French Refugees from St. Domingo, reſiding in the city of New-York, being nearly expended, I think it my duty to apprize you of this circumſtance, and ſub-

mit to your conſideration the propriety of making a further and ſeaſonable proviſion for thoſe unfortunate individuals.

As the moſt recent information I have on this ſubject, is derived principally from a letter of the 16th inſt. from Mr. Richard Lawrence, the agent by whom the ſupplies to theſe ſufferers are diſtributed, a copy of that letter will accompany this meſſage.

JOHN JAY.

Albany, 25th January, 1798.

Ordered, That the ſaid meſſage together with the letter accompanying the ſame, be committed to a committee of the whole Houſe.

Mr. Mitchell, purſuant to notice by him heretofore given, moved for and obtained leave to bring in a bill entitled "*An act providing for the expenſe of the health office in the city of New-York,*" which was read the firſt time and ordered a ſecond reading.

Ordered, That the committee, to whom was referred the petition of Nehemiah Mead and others, be diſcharged from the farther conſideration thereof; and that the ſame be referred to Mr. Savage, Mr. Wood and Mr. Hall.

Mr. Brown, from the committee of the whole Houſe, on the bill entitled "*An act concerning the Great Seal of this State,*" reported, that the committee had gone through the bill without amendment, which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That Mr. Gettman and Mr. Gray deliver the bill to the Hon. the Senate and inform them that this Houſe have paſſed the ſame without amendment.

A communication from the Comptroller was read, and is in the words following, viz.

Comptroller's Office, Albany 25th January, 1798.

SIR,

Purſuant to the act for appointing a Comptroller in this State, I have made a ſtatement of the funds of this State, and of the annual revenue thereof; and of the amount of the ſalaries of the officers of government, and other contingent expenſes; and other appropriations paid in the preceding year, a copy of which is herewith encloſed.

I have the honor to be, with great reſpect,

Your obedient ſervant,

SAMUEL JONES.

The Hon. the SPEAKER *of the Houſe of Aſſembly of the State of New-York.*

STATE OF NEW-YORK, OFFICE OF COMPTROLLER.

Statement of the Funds of the State, and of the annual Revenue thereof; and of the amount of the Salaries of the Officers of Government, and the contingent Expenſes, and other appropriations paid in the preceding year.

The funds of the State conſiſt of a debt of 1,366,150 dollars and 21 cents due from the Preſident, Directors and Company of the Bank of New-York, being the amount of the ſtock ſold to the Bank purſuant to the act paſſed for that purpoſe at the laſt ſeſſion of the Legiſlature; 757,105 dollars and 50 cents in the funded debt of the United States, bearing an intereſt of three per cent. per annum; 152 ſhares in the ſtock of the Bank of the United States, which coſt ſixty thouſand, ſeven hundred and fifty dollars; 100 ſhares in the ſtock of the Bank of New-York, which coſt fifty thouſand dollars; 50 ſhares in the ſtock of the Bank of Albany, which coſt twenty thouſand dollars; 500,000 dollars loaned in 1792 to the ſeveral counties; 99,250 dollars loaned to ſundry individuals in conformity to particular laws; 38,043 dollars on mortgages of lands in Brothertown; 363,189 dollars and 21 cents on mortgages of lands ſold in 1796, of the laſt purchaſes from the Cayuga and Onondaga Indians; 273,672 dollars and 90 cents on mortgages of lands ſold in 1797, of the laſt purchaſe from the Oneida Indians; duties on the ſales of goods at vendue; fees received and accounted for by the Secretary, and Surveyor-General; quit rents reſerved on grants made by the former government; the money remaining due on the loan of 1786; rents of ſalt ſprings in the county of Onondaga; 200 ſhares in the ſtock of each of the inland navigation companies; and unappropriated lands belonging to the State.

Theſe funds produce at preſent the following annual revenue:

	Dolls.	Cts.	Ms.
The debt of the Bank of New-York	33,987	82	
three per cent. ſtock	22,713	16	
Shares in the Bank of the United States	4,864	00	
Shares in the Bank of New-York	4,500	00	
Shares in the Bank of Albany	1,800	00	
Loan of 1792 excluſive of the ſalaries of the Loan-Officers	27,400	00	
Loans to individuals	5,805	00	
Mortgages on lands in Brothertown	2,282	58	
Mortgages on lands ſold in 1796	21,791	35	
Mortgages on lands ſold in 1797	16,420	37	
Duties on goods ſold at vendue	29,100	45	
Fees received and accounted for by the Secretary and Surv. Gen.	870	91	
Quit Rents received ſince the firſt day of May laſt	1,299	80	6
	172,835	44	6

Theſe ſeveral ſums making in the whole 172,835 dollars 44 cents and 6 mills, may be conſidered as the amount of the preſent annual revenue of the State.

The produce of the ſhares in the banks, and the amount of the duties on goods ſold at vendue, and of the fees received by the Secretary and Surveyor-General, as well as the quit rents, are ſtated according to the receipts of the laſt year.

The quit rents would, if regularly paid, amount to a conſiderable ſum yearly. The annual amount cannot at preſent be accurately aſcertained for want of information as to what parts of particular tracts chargeable with quit rents have been ſold by the commiſſioners of forfeitures; but there is reaſon to believe it would not be leſs than 5000 dollars a year, excluſive of the large arrears now due.

The money remaining due on the loan of 1786, cannot be conſidered as producing any revenue, becauſe being charged with the redemption of the bills of credit iſſued in 1788, the principal as it comes in, as well as the annual intereſt, except ſo much of the latter as is retained by the loan officers for their ſalaries, is applied to that purpoſe. But the ſum remaining due on that loan exceeds the amount of the bills in circulation by upwards of 23,000 dollars. This exceſs will be increaſed yearly by the amount of the intereſt applied in each year to the redemption of the bills, and the whole will be a clear profit to the State when the bills are all redeemed.

The amount of the rent of the ſalt ſprings is uncertain; but probably will not much exceed the ſalary of the ſuperintendant. No income has yet ariſen from the ſhares in either of the inland navigation companies; and the unappropriated or waſte lands in their preſent ſtate cannot produce any revenue. The only profit to be made of them is by ſales: large ſums have heretofore ariſen from that fund: and the Surveyor-General in the courſe of the laſt year has ſold the land lately purchaſed from the Oneida Indians, and taken mortgages for 273,672 dollars and 90 cents of the purchaſe money: no intereſt has yet become due on thoſe mortgages. There remains a conſiderable quantity of unappropriated land to be ſold: ſome of it is valuable. But no further ſales have been directed, and the propriety of directing any at preſent is at leaſt doubtful.

From the 10th of January, 1797, to the 8th of January, 1798, the following ſums have been received into the treaſury, as will appear by the treaſurer's account.

	Dolls.	Cts.	Ms.	
For principal of the ſix per cent. ſtock before the ſale to the Bank	24,051	45		
Dividend on ſhares in the Bank of New-York, due 1ſt November, 1796	2,250	00		
Do. do. ſurplus profits	2,250	00		
Do. do. on ſhares in the Bank of the United States, due 1ſt January, 1797	2,432	00		
Waſte Lands	60,585	00		
Arrears of Taxes	1,769	09		
From the Commiſſioners for building a State Priſon in Albany	17,220	87		
The Surveyor-General on Account	11,010	28		
Ebenezer Stevens Commiſſioner of Fortifications	657	89		
The Adminiſtrators of the Eſtate of the late Auditor	563	59		
Joſiah Ogden Hoffman returned, having been received by miſtake	10	00		
				122,800 17
For intereſt of ſix per cent. ſtock	17,735	54		
Do. of the debt of the Bank of New-York	16,993	91		
Do. of three per cent. ſtock	16,934	86		
One dividend on ſhares in the Bank of the United States	2,432	00		
Two do. do. in the Bank of New-York	4,500	00		
One dividend on ſhares in the Bank of Albany	900	00		
Intereſt on the loan of 1792	24,723	27		
Do. on loans to individuals	5,205	00		
Do. on Mortgages of Lands in Brothertown	2,342	35		
Do. do. of Lands ſold in 1796	448	36		
Duties on Goods ſold at Vendue	29,100	45		
Fees received by the Secretary	634	34	5	
Quit Rents	1,299	80	6	
				123,249 89 1
				246,050 06 1
Intereſt and part of the Principal of the loan of 1786				19,685 78
			Dolls.	265,735 84 1

During the ſame period, that is, from the 10th of January, 1797, to the 8th of January, 1798, the following ſums have been paid by the Treaſurer, or warrants have been drawn on him for the payment of them.

Permanent Salaries of the Officers of Government.

			Dolls.	Cts.	Ms.	
To the Governor			3,750	00		
Chancellor			2,000	00		
Chief Juſtice			2,000	00		
Four other Judges 1875 dollars each			7,500	00		
Treaſurer		2,000 00				
For the expenſes of his Office		900 25				
			2,900	25		
Attorney-General			2,000	00		
Secretary of State		1,500 00				
For the expenſes of his Office		1,238 30	5			
			2,738	30	5	
Private Secretary of the Governor			312	50		
Keeper of the State Priſon, half a year's Salary			437	50		
Two Aſſiſtants, one quarter's Salary			125	00		
						23,763 55 5

Expenſes of the Legiſlature.

Wages of the Members		33,373	37	5
Do. of the Officers and Clergy attending the Legiſlature		2,132	75	
Contingent expenſes charged by the Clerks		2,326	96	
				37,833 08 5

Other permanent Expenſes.

Annuities to Indians, including 100 buſhels of Salt for the Onondagoes		11,275	90	
Allowance for Profeſſor of Anatomy in Columbia College		500	00	
				11,775 90

Permanent expenſes which are contingent as to their amount.

The Governor's account for contingencies		280	98	
Printer's account		746	87	5
Canvaſſers of votes for Senators		1,144	00	
Compenſation to the Aſſiſtant Attornies General		2,521	94	
Sheriff of Waſhington for balance of his account		198	03	
Clerk of Herkemer for notifying Officers of their Appointments and making returns		35	50	
Expenſes of paying Annuities to Indians		490	51	
Overſeers of the Poor for ſupporting Slaves, formerly the property of Perſons whoſe Eſtates have been forfeited		388	00	
				5,805 83 5

Salaries limited as to time, or depending upon Annual Proviſion.

To the Comptroller, half a year's Salary		1,500	00	
Surveyor-General, Salary for one year		1,250	00	
Adjutant-General do.		1,500	00	
Commiſſary of Military Stores do.		125	00	
				4,375 00

Charges which are to continue for a certain time.

To county Treaſurers for the encouragement of Schools		50,000	00	
To the Hoſpital in the city of New-York		11,875	00	
To Columbia College		1,875	00	
To Catharine Paris during her widowhood		75	00	
To the Treaſurer of Albany for ſupport of John Swaney during his inability		50	00	
				63,875 00
				147,428 37 5

Other Appropriations made in the laſt and former Seſſions and paid in the laſt year.

	Dolls.	Cts.	Ms.			
Brought forward - - -				147,428	37	5
Additional allowance to the Officers of Government	6,125	00				
Do. to Members and Officers of the Legiſlature	24,108	87	5			
				30,233	87	5
For the purchaſe of 50 Shares in the Bank of Albany	20,000	00				
Erecting a State Priſon in the city of New-York	75,000	00				
Improving the navigation of Hudſon's river	7,500	00				
Relief of St. Domingo Refugees - -	2,500	00				
Relief of certain poor in the city of New-York	2,000	00				
To the Weſtern Inland Navigation Company -	10,000	00				
the Inſpectors of the State Priſon - -	12,000	00				
the Commiſſioners of Fortifications for procuring cannon - - - -	6,000	00				
the Commiſſioners for procuring arms for the Militia	4,432	92				
the Commiſſioners for treating with Indians	2,474	00				
the Superintendant of the Salt Works - -	2,000	00				
the Canvaſſers of votes for Repreſentatives in Congreſs - - - -	1,104	00				
the Attorney-General to defray the expenſes on the Connecticut claim - - -	1,500	00				
ſundry perſons in diſcharge of demands againſt forfeited eſtates - - -	3,262	95				
ſundry perſons in payment for public ſecurities	1,560	89				
Aldridge and De Graaf for loſſes on purchaſes of forfeited eſtates - - -	1,077	99				
the Surveyor-General for Survey of Counties	1,000	00				
Do. for expenſes relating to Salt Springs and Oſwego	399	26				
Witneſſes attending the Aſſembly and ſummoning them - - - - -	285	06				
Electors of Preſident and Vice-Preſident of the United States - - -	344	00				
Bailey and Bouvier for attending the Lazaretto	850	00				
Jaſper Hopper - - -	208	00				
George Lyon - - - -	30	00				
Ezekiel Hawley's mother for her dower - -	75	00				
the Executors of Iſaac Quackenbos for Flour impreſſed in 1780 - - -	18	50				
James Fairlie for a Seal for the Supreme Court -	40	00				
Salaries and ſervices unpaid in 1796 - -	3,230	14	5			
				158,892	71	5
				336,554	96	5
But the warrants remaining unpaid on the 8th January, 1798, muſt be deducted; the amount of which was - -				13,723	59	
Amount of payments *Dolls.*				322,831	37	5

When the Comptroller entered upon the execution of his office on the firſt of May laſt, the balance in the treaſury was 4,639 dollars and 60 cents; and at the ſame time beſides various other demands on the treaſury, 33,915 dollars remained unpaid upon the act for the encouragement of ſchools. The Comptroller however, as he ſuppoſed his duty required, immediately delivered a warrant to the Treaſurer to pay for the 50 ſhares ſubſcribed to the Bank of Albany, although the money appropriated for the payment had been applied to other purpoſes. This was the ſtate of the treaſury when the commiſſioners for building the State Priſon in the city of New-York on the ſecond day of May laſt, applied for a warrant on the Treaſurer for 25,000 dollars;

the Comptroller therefore found it neceſſary in behalf of the State, to borrow a ſum of money from the Bank of New-York, and accordingly the ſame day procured a loan of 25,000 dollars; and on the 11th of the ſame month, another loan of the further ſum of 24,000 dollars. On the 7th of June laſt, the Treaſurer ſtated that he was unable to pay the warrants drawn the preceding day in favour of the Inſpectors of the State Priſon, for want of caſh; upon which the Comptroller in behalf of the State the next day procured from the Bank of New-York another loan of the further ſum of 16,000 dollars. The Treaſurer's accounts were examined on the firſt of July laſt by the perſons appointed for that purpoſe, who certified that the balance then in the treaſury amounted to 2,008l. 15 $7\frac{1}{2}$, which ſum is equal to 5,021 dollars and 95 cents; but 5,150 dollars then remained unpaid upon warrants drawn previous to that day. The money received on the loan of 1786, before the time fixed for cancelling the bills of credit emitted in 1788, as well as all other money paid into the treaſury, was indiſcriminately applied by the Treaſurer in payment of demands upon the treaſury, and when that time arrived the ſum in the treaſury was not equal to the amount received on that loan; it therefore became neceſſary to borrow a further ſum to ſupply the deficiency; and the Comptroller accordingly on the firſt of November laſt, in behalf of the State, procured from the Bank of New-York another loan of the further ſum of 8,000 dollars. The ſums ſo borrowed amount to 73,000 dollars, which ſtill remain due to the bank; there not having been to the knowledge of the Comptroller at any time ſince thoſe loans were made, a ſum unappropriated in the treaſury ſufficient to repay either of them until the 5th inſt. and the Comptroller was not informed of the payment then made, until the 18th inſt. when he directed the Treaſurer to repay the firſt loan, which, with the intereſt to the time the payment can be made, will amount to 26,125 dollars. The intereſt of the balance until it is repaid will be an additional charge upon the revenue.

It appears by the ſettlement of the Treaſurer's accounts on the 10th day of January, 1797, that the balance then in the treaſury was 21,515l. 0 $2\frac{1}{4}$, equal to 53,787 dollars and 52 cents. And by a certificate of the perſons appointed for that purpoſe, it appears that the Treaſurer on the 6th of November, 1797, in their preſence deſtroyed ſundry bills emitted in 1788, amounting together to the ſum of 8,198l. 15 0, equal to 20,496 dollars 87 cents and 5 mills.

From the preceding ſtatements, the Treaſurer's account ſtands thus:

	Dolls.	Cts.	Ms.		
His receipts for the laſt year, including the ſum received on the loan of 1786, and excluſive of the money borrowed, amount to - - -	265,735	84	1		
The amount borrowed from the Bank of New-York is	73,000	00			
The balance in the Treaſury the 10th of Jan. 1797, was	53,787	52			
Fractions in converting pence into cents - -		01			
				392,523	37 1
His payments amount to - - -	322,831	37	5		
The amount of the bills cancelled is -	20,496	87	5		
				343,328	25
Balance in the Treaſury 8th January, 1798 -	*Dolls.*			49,195	12 1

But the amount of the warrants already drawn on the Treaſurer, and the ſum he is directed to pay to the Bank, being deducted from this balance, leaves 9,346 dollars, 53 cents and 1 mill, which is to be conſidered as the balance now in the Treaſury. The Treaſury is alſo ſubject to ſundry other demands which exceed this balance. Some of them muſt therefore be paid out of the revenue of the preſent year. Hence it becomes neceſſary to examine whether the revenue will probably be ſufficient for that purpoſe.

	Dolls.	Cts.	Ms.		
The expenſes of the Government for the laſt year, excluſive of the additional allowances and particular appropriations, amounted to				147,428	37 5
The expenſes of the preſent year will be increaſed,					
By the allowance to Union College		750	00		
Half a year's Salary to the Comptroller		1,500	00		
Do. to the keeper of the State Priſon		437	50		
Salary to two aſſiſtants for three quarters of a year		375	00		
One-fourth part of 1,000l. to the Hoſpital which did become due in the laſt year		625	00		
The rent of the houſe in Albany for the Governor		750	00		
The intereſt of the money borrowed of the Bank, ſuppoſe for a year		2,880	00		
The ſum neceſſary for the ſupport of the priſoners in the State Priſon, eſtimated at		8,000	00		
				15,317	50
				162,745	87 5

Theſe ſums, amounting in the whole to 162,745 dollars, 87 cents and 5 mills, being deducted from the ſum above ſtated as the amount of the annual revenue, leaves a balance of 10,089 dollars, 57 cents and 1 mill in favor of the State, which added to the balance in the treaſury, makes in the whole 19,436 dollars, 10 cents and 2 mills.

The demands to which the treaſury is ſubject are on the following accounts:

For 1,000 dollars as a compenſation to William Grey. For 25,201 dollars and 79 cents received from the State of Vermont. This money is to be diſtributed among the claimants to lands in that State, under grants from the late Colony of New-York, and to be paid upon the certificates of the Commiſſioners appointed to hear and determine thoſe claims. For 4,500 dollars for building a Lazaretto. For 2,750 dollars to defray the expenſes on account of the claim under a grant from the State of Connecticut, to lands in this State: Five thouſand dollars were appropriated for that purpoſe; 2,250 of which are paid. For 9,500 dollars for procuring cannon and ammunition for the defence of the port and harbor of New-York. Twenty-five thouſand dollars were appropriated for that purpoſe; 15,500 of which are paid. For payment of certificates iſſued by the Treaſurer, and by Haring, Gaſharie and Moffatt, and by the late Auditor, and for bills of credit called new emiſſion; the amount of which cannot be aſcertained as the amount loaned to the United States is uncertain. But there is reaſon to believe that the amount in circulation cannot be large. For compenſation to five of the electors of the Preſident of the United States, which may amount to 150 dollars. For the ſum due on a mortgage of land ſold by the Commiſſioners of Forfeitures and now belonging to Joſeph Caldwell and Thomas Bradſhaw, ſuppoſed to be about 187 dollars and 50 cents. For the balance due to the agents for purchaſing lands from the Indians, ſuppoſed to be about 2,500 dollars. For the expenſe of ſurveys and adjuſting claims relating to lands granted by this State, which are comprehended in the tract, ceded to the Commonwealth of Maſſachuſetts: What will be the amount of theſe expenſes is uncertain, and the credit on the treaſury is unlimited. For requiſitions by the Inland Navigation companies which in the laſt year amounted to 10,000 dollars. What ſum will be neceſſary to ſatisfy theſe demands, or when they will be made on the treaſury, is equally uncertain. But it is not to be expected that the above ſum of 19,436 dollars, 10 cents and 2 mills will be ſufficient to ſatisfy ſuch of them as will be made in the courſe of the preſent year.

It may alſo be proper to mention that there are ſundry other claims againſt the State which are not decided.

Although but a ſmall part of the intereſt has been paid on the mortgages taken in 1796, and none on thoſe taken in 1797, the aggregate of the payments into the treaſury in the courſe of the laſt year, conſiderably exceeds the ſum above ſtated as the amount of the annual revenue. This has ariſen from the payment of part of the

principal of the ſix per cent. ſtock, and from money received for waſte lands, and from ſundry other ſums paid into the treaſury as due to the State on various accounts.

For ſeveral years paſt large ſums ariſing from the ſales of the waſte lands belonging to the State, have come into the treaſury every year: this aid is not to be expected in the preſent year. There are ſome balances due on former ſales as well as on ſome other accounts; but there are alſo demands for returns of money on ſuppoſition of over payments on account of ſome of thoſe purchaſes. What the nett amount will be is uncertain, but if there ſhould not be any deduction, the whole of thoſe balances will not probably be more than ſufficient to ſatisfy the exiſting demands upon the treaſury, excluſive of the money borrowed of the bank; and the only reſource that occurs for the repayment of that loan, without breaking in upon the principal of any of the funds of the State, or recurring to taxation, is the arrears of the quit rents. They are amply ſufficient for the purpoſe, and will, if applied, give the neceſſary relief to the State without impoſing any new burthen upon any of the citizens.

All which is reſpectfully ſubmitted.

SAMUEL JONES, *Comptroller.*

ALBANY, *January* 22, 2798.

Ordered, That two hundred copies of the ſaid ſtatement be forthwith printed for the uſe of the Members of this Houſe.

Mr. Heermance from the committee to whom was referred the petition of Thomas Barry and others, reported againſt the prayer thereof, which report was agreed to by the Houſe.

Mr. Heermance, from the committee of the whole Houſe, on the bill entitled "*An act for the relief of Juſtus Banks and Aldut Roofa,*" reported, that after the ſaid bill having been read in the committee, Mr. Griſwold made a motion that the ſaid bill ſhould be rejected, that debates were had thereon, and the queſtion being put, whether the committee did agree to the motion of Mr. Griſwold, it was carried in the affirmative in the manner following, viz.

For the Affirmative.

Mr. Adams,	Mr. Cornwell,	Mr. Holt,	Mr. J. Smith,
Mr. J. Barker,	Mr. Coryell,	Mr. Horton,	Mr. N. Smith,
Mr. T. Barker,	Mr. Deitz,	Mr. Hovey,	Mr. Teed,
Mr. W. Barker,	Mr. De la Montagnie,	Mr. Howard,	Mr. Ten Broeck,
Mr. Benton,	Mr. Denning,	Mr. Jenkins,	Mr. Thomas,
Mr. Bowen,	Mr. Dewey,	Mr. Lee,	Mr. Jeſſe Thompſon,
Mr. Boyd,	Mr. Foot,	Mr. M'Farlan,	Mr. Iſrael Thompſon,
Mr. Campbell,	Mr. Fort,	Mr. Micheau,	Mr. Joel Thompſon,
Mr. Carman,	Mr. Griſwold,	Mr. Moſſet,	Mr. Towner,
Mr. Clark,	Mr. Hall,	Mr. Pearſall,	Mr. Tyler,
Mr. Clifft,	Mr. Hatfield,	Mr. Potter,	Mr. Vandervoort,
Mr. Clinton,	Mr. Hoag,	Mr. Reeve,	Mr. Van Alſtyne,
Mr. Coe,	Mr K. Hogeboom,	Mr. Rice,	Mr. Verplanck,
Mr. Comſtock,	Mr. Holly,	Mr. P. P. Schuyler,	Mr. Voſburgh. 59

For the Negative.

Mr. Arcularius,	Mr. J. A. De Witt,	Mr. Mitchell,	Mr. Storm,
Mr. Baldwin,	Mr. J. C. De Witt,	Mr. Ogden,	Mr. Speaker,
Mr. Barber,	Mr. Halſey,	Mr. Savage,	Mr. Warner,
Mr. Bevier,	Mr. J. Hogeboom,	Mr. Skidmore,	Mr. Wendell,
Mr. Bruyn,	Mr. Hunt,	Mr. A. Smith,	Mr. Weſt,
Mr. Burling,	Mr. Maſon,	Mr. Snell,	Mr. Wood. 26
Mr. Burt,	Mr. M'Cord,		

Which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read. Thereupon,

Reſolved, That the ſaid bill be and it is hereby rejected.

Reſolved, (if the Hon. the Senate concur herein) That a joint committee of the Senate and Aſſembly be appointed to enquire whether any and what alterations are neceſſary to be made in the ſeveral acts regulating the fees, ſalaries and compenſation of the ſeveral officers of government and miniſters of juſtice within this State;

and in caſe of ſuch concurrence, that Mr. Bird, Mr. Burr, Mr. J. Hogeboom, Mr. Griſwold and Mr. Fonda be of the ſaid committee on the part of this Houſe.

Ordered, That Mr. Gray and Mr. Gregory deliver a copy of the preceding reſolution to the Hon. the Senate.

Then the Houſe adjourned until eleven o'clock to-morrow morning.

Friday, eleven o'clock, A. M. January 26th, 1798.

The bill entitled "*An act to prevent the profanation of the Sabbath*," the bill entitled "*An act providing for the expence of the Health Office in the city of New-York*," and the bill entitled "*An act for dividing the town of Thurman, in the county of Waſhington*," were ſeverally read the ſecond time, and committed to a committee of the whole Houſe.

A petition of Joſeph King and others, praying a reviſion of the laws relative to the ſuppreſſion of vice and immorality, was read, and referred to the committee of the whole Houſe, when on the bill entitled "*An act to prevent the profanation of the Sabbath.*"

A petition of John Gates, inſpector of Soal-Leather, in the city of Albany, praying that his authority as an inſpector may extend to the towns of Bath, Watervliet and Bethlehem, was read, and referred to Mr. P. P. Schuyler, Mr. M'Cord and Mr. Gettman.

A petition of John Wilſon, praying a grant of bounty lands for his ſervices as a ſoldier during the late war, was read, and referred to Mr. Hatfield, Mr. Burr and Mr. Snell.

A petition of John Hoag and others, praying grants of vacant lands in the county of Tioga, was read, and referred to Mr. Savage, Mr. Wood and Mr. Hall.

A petition of the Pilots of the port of New-York, piloting veſſels through the Eaſt River or Sound, praying that the 16th ſection of the act for the regulation of pilots and pilotage for the port of New-York, paſſed 14th April, 1784, may extend to them, was read, and referred to the Members attending in this Houſe from the city and county of New-York.

A petition of John Meyer and others, praying a grant of money to improve the road between the town of Rome, in the county of Herkemer, and Oſwego; and a petition of Jeſſe Hale and others, praying that they may be allowed to raiſe money by lottery for improving the roads in the weſtern part of the State, were ſeverally read, and referred to the joint committee appointed to report the ſtate of the lottery authorized by law for raiſing money for improving the great roads within this State.

The Surveyor-General, to whom was referred the petition of William Brink and William Alferd, reported, that the petitioners pray that a grant may be made to them of lots No. 82 and 92 in the townſhip of Cincinnatus, of the military tract, one of which lots they ſay they have already improved: Parts of theſe lots are cut off by the line which the proprietors of the ten townſhips, ceded to Maſſachuſetts, have run for themſelves, and the reſidue being on that account left by the Commiſſioners of the land office out of their balloting box, remains at the diſpoſal of government.

All which is reſpectfully ſubmitted.

SIMEON DE WITT, *Surveyor-General.*

Ordered, That the ſaid report and petition be referred to Mr. Comſtock, Mr. Foot and Mr. Holly.

The Surveyor-General, to whom was referred the petition of Charles Harford, reported, That the petitioner prays for a grant of a military lot, which he alledges he bought of a man having a forged title for it. That the true title given by the State died with the ſoldier who ſerved for it; he not having left any heirs, and that conſequently it has eſcheated to the State.

As it is preſumed that a general law will be made reſpecting eſcheats of this kind, and to guard againſt the holding of ſuch property under pretended titles, the Surveyor-General thinks that the petitioner's prayer cannot, with propriety, be granted at this time.

All which is reſpectfully ſubmitted.

SIMEON DE WITT, *Surveyor-General.*

January 24th, 1798.

Reſolved, That this Houſe do agree with the Surveyor-General in his ſaid report.

The Surveyor-General, to whom was referred the petition of John Day and Nicholas De la Vergne, reported, that there is no vacant land between Duaneſborough and Schoharie as the petitioners ſuppoſe. Their prayer therefore cannot be granted.

SIMEON DE WITT, *Surveyor-General.*

January 24, 1798.

Reſolved, That the Houſe do agree with the Surveyor-General in his ſaid report.

The Surveyor-General, to whom was referred the petition of Robert Millegan, reported, that the petitioner ſtates, that in 1776 he enliſted as a private in the line of this State, and ſerved three years, then hired a man to ſerve in his place, agreeing with him that he the petitioner ſhould have the the bounty of land; that the man he ſo hired has ſince died without giving a releaſe of the land to the petitioner, who now prays that the title may by law be veſted in him. From this ſtatement it is evident that the Legiſlature cannot grant the prayer of the petitioner, ſince the title is veſted in another.

All which is reſpectfully ſubmitted.

SIMEON DE WITT, *Surv. Gen.*

January 24, 1798.

Ordered, That the ſaid report and petition be referred to Mr. Bevier, Mr. Brown and Mr. Wood.

The Comptroller to whom was referred the petition of the truſtees of the firſt Preſbyterian congregation adhering to the Aſſociate Reformed Synod in Salem in the county of Waſhington, reported, that the petitioners ſet forth in their petition that Oliver De Lancey and Peter Dubois in the year 1772, conveyed three lots of land containing 88 acres each to truſtees for the benefit of the ſaid congregation, and that in conſequence of the attainder of the ſaid Oliver one moiety of the ſaid lots were located by Alexander I. Turner and conveyed to him by the Surveyor-General for 82l. or thereabouts, they therefore as the property was intended for religious purpoſes and pious uſes, pray the Legiſlature to direct the conſideration money paid into the treaſury for the ſaid lots to be paid to them for the like purpoſes.

It appears by the Surveyor-General's account on the 3d of October, 1793, he conveyed to Alexander Turner for the conſideration of 82l. 17 4 the premiſes mentioned in the petition as forfeited by the attainder of Oliver De Lancey. This conveyance was made in conſequence of the proviſions in the act paſſed the firſt day of May, 1786, enabling any perſon to locate any real eſtate forfeited by the attainder or conviction of any perſon, in truſt for his widow and children, and is not to operate as a warranty. The charges of the appraiſement amounted to 8l. 3 6, and the ſum paid into the treaſury was 74l. 18 10.

De Lancey and Dubois were both attainted by an act paſſed the 22d of October, 1779, and their eſtates thereby forfeited, and all conveyances made by them after the 9th day of July, 1776, declared to be fraudulent; this attainder could not affect the conveyance mentioned in the petition which was made in 1772. But previous to that coveyance De Lancey and Dubois conveyed a large tract including theſe lots to Thomas Clark in fee, reſerving an annual rent forever. Dubois afterwards and before his attainder mortgaged his part of the eſtate to Jonathan Mallet which mortgage was purchaſed by John Williams, who alſo procured from Turner a conveyance of his right to the lots mentioned in the petition, and then brought a ſuit againſt the tenants of the truſtees of the congregation to recover the poſſeſſion, whereupon the truſtees filed their bill in chancery for relief. A compromiſe ſoon after took place, and the truſtees paid Williams the amount of the money which had been paid by Turner to the Surveyor-General, and Williams conveyed his right in the three lots to them.

Under theſe circumſtances the Comptroller is of opinion that the petitioners have no claim upon the State. But if the truſtees had applied before the ſale made by the Surveyor-General, it is probable the Legiſlature would have granted to them the right of the State in the ſaid three lots, as has been done in various other ſimilar caſes, and a gift of the money paid into the treaſury in the preſent caſe, would be the ſame thing in effect, as the gift of the land before the ſale.

All which is reſpectfully ſubmitted.

SAMUEL JONES, *Comptroller.*

Ordered, That the ſaid report and petition be referred to Mr. Pride, Mr. Barber and Mr. T. Barker.

Mr. Vandervoort, from the committee to whom was referred the petition of Charles Doughty and others, inhabitants of the town of Brooklyn, reported in favor of the petitioners, and obtained leave to bring in a bill entitled "*An act relative to the records of the town of Brooklyn in King's county,*" which was read the firſt time and ordered a ſecond reading.

Mr. Ten Broeck, from the committee to whom was referred the petition of Maria Van Wie, reported againſt the prayer of the petitioner, which report was agreed to by the Houſe.

Mr. Snell, from the committee to whom was referred the petition of Daniel Paris and others, reported in favor of the petitioners, and obtained leave to bring in a bill entitled "*An act to divide the town of Canajoharie into two towns,*" which was read the firſt time and ordered a ſecond reading.

Mr. P. P. Schuyler, from the committee to whom was referred the petition of Henry Gueſt, jun. and others, reported in favor of the petitioners, and obtained leave to bring in a bill entitled "*An act to amend an act entitled "An act to regulate buildings within certain limits of the city of Albany,*" which was read the firſt time and ordered a ſecond reading.

Mr. Wendell, from the committee to whom was referred the petition of Jellis Winne and Levinus Dunbar, reported in favor of the petitioners, and obtained leave to bring in a clauſe to be added to ſome proper bill for that purpoſe.

Mr. De la Montagnie, from the ſelect committee to whom was committed the bill entitled "*An act to prevent unneceſſary public proſecutions in caſes where the party injured have remedy by civil action,*" reported, that the committee had gone through the bill and made amendments, which he was directed to report to the Houſe, and he read the report in his place and delivered the ſame in at the table where it was again read.

Thereupon, *Ordered*, That the ſaid bill be recommitted to a committee of the whole Houſe.

A report of the inſpectors of the State Priſon, in the city of New-York, was read and is in the words following, viz.

THAT purſuant to the duty enjoined on them, by the act of the Legiſlature, paſſed the fourth day of the fourth month (April) laſt, they took into conſideration, the removal of the convicts from the gaol of the city and county of New-York to ſome more eligible ſituation, until the State-Priſon ſhould be ready for their reception.

No place preſented to the view of the Inſpectors ſo proper as the City-Bridewell: They therefore applied to the Corporation of the City, who granted their permiſſion for a part of the ſame to be occupied for the deſigned purpoſe, which was approved by the Governor. The Inſpectors expended two thouſand ſeven hundred and eighty dollars and forty-ſeven cents, in fitting up this building, ſo as to make it in their opinion, ſufficiently ſecure; and in the ſixth month (June) the convicts were removed, nearly all of whom were in want of clothes, which were ſupplied them, their rooms, &c. were kept clean, and their proviſion ſerved them in as decent and regular manner, as circumſtances would admit.

On the 28th of the eleventh month (November) the Commiſſioners for erecting the State-Priſon, informed the Inſpectors, "That the ſame was ſo far completed as to be ready for the reception of convicts," and the Inſpectors conceiving it would be neceſſary to have the State-Priſon occupied, and immediately ready to receive the priſoners from the different county gaols, and having made previous preparation, removed the priſoners, in number Sixty-Eight, the ſame evening. The Board of Inſpectors attended in perſon at the priſon during their removal, which was conducted with the aid of the City-Watch, with much quietneſs and good order.

Since the State-Priſon has been occupied, numbers of priſoners have been received from the different counties, and the number now in confinement is, One Hundred and Twenty-Nine, Men and Women, as will appear by the annexed Abſtract.

From the time the Inſpectors have had the ſuperintendance of the State-Priſon, as well as during the time the convicts were at the Bridewell, they have been in the practice of meeting weekly; beſides which, two of them have alſo viſited the priſon

once a week, as Viſiting Inſpectors. The priſoners are under good order, and in general, have behaved with decency, and becoming their ſituation; and it is with ſatisfaction the Inſpectors have it in their power to remark, that an amendment in the minds and manners of ſeveral, is very apparent; and many, who laboured under afflicting diſeaſes, have, by wholeſome ſimple diet, and regular living, with the aſſiſtance of the Phyſician of the Priſon, been reſtored to health.

The unfiniſhed ſtate of the Priſon, prevents the Inſpectors from employing the whole of the priſoners ar preſent, a number however are employed at making ſhoes, matts, ſtraw-hats, &c.

The plan of the building appears judicious, and well calculated for the intended purpoſe, and the Inſpectors anticipate the pleaſing ſatisfaction they will derive, when the walls around the premiſes, the work-ſhops, &c. are completed, and all the priſoners employed at nail-making, ſpinning, weaving, ſawing marble, grinding paint and plaiſter of Paris, and other uſeful occupations.

The diet ſerved daily to the priſoners is, muſh, made of Indian meal and molaſſes, for breakfaſt; ſoup, from ox heads and beef, with potatoes and rye bread, for dinner; and the ſame kind of proviſion for ſupper as for breakfaſt. The expence of this diet is, as nearly as can be calculated, ſix cents per day, for each priſoner.

The Inſpectors are of opinion, ſome alterations in that part of the act for erecting State-Priſons, &c. as relates to the internal government of the State-Priſon, and alſo ſome additions thereto would be uſeful; and as a communication of theſe ſubjects in a written report would make it too lengthy, the Inſpectors have appointed three of their Board, as a committee, for the purpoſe of waiting on the Legiſlature, by which means more full and complete information may be communicated.

By the act for erecting State-Priſons it appears, only One Thouſand Pounds was appropriated for the ſupport and maintenance of the State-Priſon, and as the priſoners cannot be employed to much advantage until the neceſſary buildings are completed, and the proper manufacturing tools, &c. are procured, ſome further Legiſlative aid will be immediately wanting, and in fixing this ſum, the Inſpectors reſpectfully ſolicit the Legiſlature to take into conſideration, that a larger ſum will be neceſſary, than what may be expended this year in ſupporting the priſon, in order to be appropriated as a Capital Stock for purchaſing raw materials, tools, and implements of different kinds, and generally for the purpoſe of carrying on an extenſive manufactory; and the Inſpectors take the liberty to obſerve, that with the aid of a Capital Stock, adequate to the purpoſe, they are of opinion, the profit gained to the State on manufactured articles, will be amply ſufficient to pay all the expences appertaining to the Priſon.

The Inſpectors are fullyconvinced of the importance of the new eſtabliſhment, and of the practicability of carrying into effect the preſent plan; and although the taſk allotted to them is arduous, yet conſidering how deeply intereſting the reſult muſt be to the cauſe of humanity, and that the obligations of benevolence founded on the precepts and example of the Author of Chriſtianity, are not cancelled by the follies and crimes of our fellow creatures; they therefore feel it incumbent on them, to extend their compaſſion, and endeavour to effect the reformation of thoſe unhappy men, ſo that the links, which in all circumſtances ought to bind the whole family of mankind, may be preſerved unbroken.

The Inſpectors, impreſſed with thoſe ſentiments, truſt nothing will be wanting on their part, to carry into effect the humane deſigns of the Legiſlature.

ISAAC STOUTENBURGH,
ROBERT BOWNE,
JOHN MURRAY, jun.
THOMAS EDDY,
JOTHAM POST,
THOMAS FRANKLIN.

New-York, firſt Month (January) 1798.

ABSTRACT

Of the Number of PRISONERS *in the State-Prison, the 17th Day of the 1st Month (January) 1798, distinguishing Foreigners from Natives of the United States; also shewing the Names of the Counties, and the Term and Expiration of their Sentence :—*

White People.			Black People.			Total.		
Americans.		Foreigners.	Americans.		Foreigners.	White Men	95	
Men	60	35	Men	16	10	Women	6	101
Women	1	5	Women	1	1	Black Men	26	
						Women	2	28
	61	40		17	11			129

Who were sentenced in the following Counties :—

New-York	Albany	Washington	Columbia	Dutchess	Rensselaer	West-chester	Clinton	Queens	Kings	Orange.
87	20	6	5	4	2	1	1	1	1	1

And for the following Terms :—

	7 mos.	8 mo.	9 mo.	13mo.	14mo.	1 yr.	2 yrs.	3 yrs.	4 yrs.	5 yrs.	7 yrs.	10yrs.	14yrs.	life.
Men	1	1	2	1	2	23	7	10	28	4	7	3	4	28
Women						3	1	1	2	1				
	1	1	2	1	2	26	8	11	30	5	7	3	4	28

The Expiration of which will be

In	1798	1799	1800	1801	1802	1803	1804	1805	1807	1810	1811
	24	17	20	18	8	1	5	1	3	1	3

Of the Americans there are from the following States—

	N.Hamp.	Massa.	R.Island.	Conn.	N.York.	N.Jersey.	Penn.	Maryland.	Virginia.	Geor.
White Men	2	12	3	12	24	5	1	1		
Women					1					
Black Men					9	3	2		1	1
Women					1					
	2	12	3	12	35	8	3	1	1	1

And of the Foreigners from

	England.	Scotland.	Ireland.	France.	Germany	Canada.	N.Scotia.	W.Indies.	Africa.
White Men	5	2	21	3	4				
Women			3			1	1		
Blacks								6	5
	5	2	24	3	4	1	1	6	5

Ordered, That the ſaid report be referred to a committee to conſiſt of a Member from each of the counties in this State; and that Mr. Denning, Mr. Wendell, Mr. Carman, Mr. Howard, Mr. Vandervoort, Mr. Micheau, Mr. Teed, Mr. Verplank, Mr. Bruyn, Mr. Burt, Mr. Benton, Mr. Moffet, Mr. Maſon, Mr. Comſtock, Mr. M'Farlan, Mr. Griſwold, Mr. Holt, Mr. Horton, Mr. Rice, Mr. Roſs, Mr. Tyler, Mr. Cornwell and Mr. Williamſon be of the ſaid committee.

Ordered, That 200 copies of the ſaid report be forthwith printed for the uſe of the Members of this Houſe.

Ordered, That the committee of the whole Houſe be diſcharged from the further conſideration of the meſſage of his Excellency the Governor of the 23d inſt. accompanied with the report of the commiſſioners for building the State Priſon in the city of New-York, and that the ſame together with the ſaid report be referred to the laſt mentioned committee.

A meſſage from the Hon. the Council of Reviſion, delivered by the Hon. the Chancellor, with the bill therein mentioned, was read, and is in the words following, viz.

In Council of Reviſion, January 26, 1798.

The council object to the bill entitled "*An act for the relief of Anna Breadbake,*"

Becauſe the grant intended by the bill, is not founded on that official enquiry which has been deviſed for the wiſe purpoſes of preventing oppreſſion on the citizen, and impoſition in directing public benevolence, and contains neither a deſcription of the value, extent or duration of the eſtate alledged to have eſcheated to the people of this State: thus eſtabliſhing a precedent which in proceſs of time may become dangerous in practice to the intereſts of the community.

Becauſe the grant is not limited to the eſtate whereof John Breadbake died ſeized or poſſeſſed; thus affording colour for a conſtruction repugnant to that ſalutary principle of the common law *that a mere right is incapable of being transferred by grant.*

Becauſe the bill purports to grant all the right and title of the ſaid people of, in *and to all the eſtate of the ſaid John Breadbake* to Ann his widow her heirs and aſſigns forever, tho' it does not appear from the ſaid bill that the ſaid John Breadbake held any eſtate of inheritance; thus rendering the ſaid grant uncertain as to its object, and perhaps diſcordant in its application to the eſtate which is the ſubject matter of the ſaid bill.

JOHN JAY.

Ordered, That the conſideration of the ſaid objections be poſtponed until Tueſday next.

Mr. M'Cord from the committee of the whole Houſe on the bill entitled "*An act for the relief of John Porteous and Alexander Ellice,*" reported, that the committee had gone through the bill and made amendments, which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

Mr. J. C. De Witt aſked for and obtained leave of abſence for one week.

A meſſage from the Hon. the Council of Reviſion, delivered by the Hon. Mr. Juſtice Benſon, was read, that it does not appear improper to the council, that the bill entitled "*An act conſtituting a Commiſſioner in the city of New-York to do certain acts appertaining to the office of Chancellor and a Judge of the Supreme Court, and for other purpoſes therein mentioned,*" and the bill entitled "*An act for dividing the town of Willſborough in the county of Clinton,*" ſhould ſeverally become laws of this State.

Reſolved, That a committee be appointed to enquire whether any, and if any, what alterations are neceſſary in the law reſpecting eſcheats, and that Mr. Clinton, Mr. Metcalfe and Mr. Bowman be of the ſaid committee.

Then the Houſe adjourned until eleven o'clock to-morrow morning.

Saturday, eleven o'clock, A. M. January 27th, 1798.

The engroſſed bill entitled "*An act ſupplementary to the act entitled "An act relative to the acknowledgment of Deeds,*" paſſed 11th day of February, 1797, was read the third time.

Reſolved, That the bill do paſs.

Ordered, That Mr. Griſwold and Mr. Hall deliver the bill to the Hon. the Senate and requeſt their concurrence.

The bill entitled "*An act to amend an act entitled "An act to regulate buildings within certain limits of the city of Albany,*" the bill entitled "*An act to divide the town of Thurman, in the county of Waſhington,*" the bill entitled "*An act to divide the town of Canajoharry into two towns,*" and the bill entitled "*An act relative to the records of the town of Brooklyn, in King's county,*" were ſeverally read the ſecond time, and committed to a committee of the whole Houſe.

A petition of Caleb Lewis and others, remonſtrating againſt the propoſed annexation of part of the county of Herkemer to the county of Otſego; and the petition of Benjamin Morgan and others, praying that the ſame may be annexed, were ſeverally read, and committed to a committee of the whole Houſe, when on the bill entitled "*An act to annex part of the county of Herkemer, called Young's Patent, to the county of Otſego.*"

A petition of Elizabeth Ripſom, widow, and relict of Matthias Ripſom, praying that ſimilar proviſion may be made to her by law as has been granted to Catharine Paris, was read, and referred to the Comptroller to report thereon.

A petition of John Flynn of the county of Saratoga, ſtating that he became entitled by purchaſe to a certain tract of 200 acres of land due from the King of Great-Britain to William Potter, a corporal in the 55th regiment of foot, for ſervices in the laſt French war, that the ſaid lands were laid out and ſurveyed for the petitioner at Baſon Bay, on Lake George, in June, 1774, but no patent has been obtained for the ſame, and that he hath been informed the ſaid lands have lately been granted to Jeremiah Van Renſſelaer, Eſq. praying relief in the premiſſes, was read, and referred to the Comptroller to report thereon.

A petition of Chriſtopher Roff, praying a grant of bounty lands for having furniſhed an able bodied recruit to ſerve during the late war, was read, and referred to Mr. Hatfield, Mr. Burr and Mr. Snell.

A petition of the Superviſors of the county of Schoharie, praying that a law may be paſſed authorizing them to raiſe 1,000 dollars by tax on the inhabitants of the ſaid county, for the purpoſe of building a Court-Houſe and Gaol in the ſaid county, was read, and referred to Mr. Rice, Mr. W. Barker and Mr. Deitz.

A petition of Ephraim Hudſon and others, and a petition of Benjamin Gilbert and others, praying to be incorporated by the name of the Weſtern Turnpike Company, were ſeverally read, and referred to Mr. Dewey, Mr. Bowen, Mr. Burt, Mr. Gettman and Mr. Brown.

Mr. Speaker laid before the Houſe a communication from Gerard Bancker, Treaſurer, which was read, and is in the words following, viz.

Albany, January 26th, 1798.

Reſpected Sir,

On the 31ſt March laſt, by an act of the Legiſlature entitled "*An act relative to the Treaſurer of the State,*" I am permitted to continue my office in the city of New-York until the 1ſt May now next. I have a grateful ſenſe of the long time I have been honored with the office, and am ſorry to be obliged to apologize for not holding the office after the ſaid 1ſt May, and take the liberty to requeſt ſome ſuitable perſon may be appointed in my ſtead.

With great reſpect, I am Sir,

Your very humble ſervant,

GERARD BANCKER, Treaſurer.

The Hon. DIRCK TEN BROECK, *Eſq.*
Speaker of the Aſſembly.

Mr. Benton, from the committee to whom were referred the petitions of Silas Wood, John Nicholſon and John Lawrence, with the reports of the Surveyor-General thereon, reported in favor of the petitioners, and obtained leave to bring in a bill entitled "*An act for the relief of Silas Wood and others,*" which was read the firſt time and ordered a ſecond reading.

Mr. Clinton, purſuant to notice by him for that purpoſe heretofore given, moved for and obtained leave to bring in a bill entitled "*An act ſupplementary to the act enti-*

tled "An act to reduce the laws concerning coſts into one Statute," which was read the firſt time and ordered a ſecond reading.

Mr. M'Cord, purſuant to notice by him for that purpoſe heretofore given, made a motion, that the Houſe ſhould agree to a reſolution in the words following, viz.

Reſolved, as the ſenſe of this Legiſlature, That his Excellency the Governor be requeſted to write to the Repreſentatives of this State in the Congreſs of the United States, and requeſt them to uſe their efforts to obtain a repeal of the Stamp Act.

The ſaid reſolution having been read, and debates had thereon, Mr. Clinton made a motion that the previous queſtion ſhould be taken on the ſaid reſolution.

Mr. Speaker put the queſtion, ſhall the main queſtion be now put, which was carried in the affirmative in the manner following, viz.

For the Affirmative.

Mr. Arcularius,	Mr. Fonda,	Mr. M'Neal,	Mr. J. Smith,
Mr. Baldwin,	Mr. Foot,	Mr. Metcalf,	Mr. N. Smith,
Mr. T. Barker,	Mr. Fort,	Mr. Micheau,	Mr. Teed,
Mr. W. Barker,	Mr. Gray,	Mr. Mitchell,	Mr. Thomas,
Mr. Benton,	Mr. Gregory,	Mr. Moffet,	Mr. Jeſſe Thompſon,
Mr. Bowen,	Mr. Griſwold,	Mr. Morſe,	Mr. Towner,
Mr. Bowman,	Mr. Hall,	Mr. Ogden,	Mr. Tyler,
Mr. Brown,	Mr. Heermance,	Mr. Pearſall,	Mr. Vandervoort,
Mr. Campbell,	Mr. Hildrith,	Mr. Potter,	Mr. Van Alſtyne,
Mr. Clifft,	Mr. Hoag,	Mr. Prince,	Mr. Verplank,
Mr. Comſtock,	Mr. Holt,	Mr. Pride,	Mr. Wendell,
Mr. Cornwell,	Mr. Horton,	Mr. Rice,	Mr. Weſt,
Mr. Coryell,	Mr. Howard,	Mr. Roſs,	Mr. Williamſon,
Mr. J. A. De Witt,	Mr. Lee,	Mr. P. I. Schuyler,	Mr. Wood. 59
Mr. Dewey,	Mr. M'Farlan,	Mr. P. P. Schuyler,	

For the Negative.

Mr. Adams,	Mr. Clark,	Mr. J. Hogeboom,	Mr. Savage,
Mr. J. Barker,	Mr. Clinton,	Mr. K. Hogeboom,	Mr. Skidmore,
Mr. Bevier,	Mr. Coe,	Mr. Holly,	Mr. A. Smith,
Mr. Boyd,	Mr. De la Montagnie,	Mr. Hunt,	Mr. T. Smith,
Mr. Bruyn,	Mr. Denning,	Mr. M'Cord,	Mr. Storm,
Mr. Burling,	Mr. Halſey,	Mr. Miller,	Mr. Iſrael Thompſon,
Mr. Burt,	Mr. Hatfield,	Mr. Reeve,	Mr. Voſburgh.
Mr. Carman,	Mr. Henry,	Mr. Robins,	Mr. Warner, 32

Mr. Speaker then put the main queſtion, whether the Houſe did agree to the reſolution propoſed by the motion of Mr. M'Cord, and it paſſed in the negative in the manner following, viz.

For the Negative.

Mr. T. Barker,	Mr. Fort,	Mr. Metcalfe,	Mr. J. Smith,
Mr. Benton,	Mr. Gray,	Mr. Micheau,	Mr. N. Smith,
Mr. Bowen,	Mr. Gregory,	Mr. Mitchell,	Mr. Storm,
Mr. Bowman,	Mr. Griſwold,	Mr. Moffet,	Mr. Teed,
Mr. Brown,	Mr. Hall,	Mr. Morſe,	Mr. Thomas,
Mr. Bruyn,	Mr. Halſey,	Mr. Ogden,	Mr. Jeſſe Thompſon,
Mr. Carman,	Mr. Heermance,	Mr. Pearſall,	Mr. Iſrael Thompſon,
Mr. Clifft,	Mr. Henry,	Mr. Potter,	Mr. Towner,
Mr. Clinton,	Mr. Hildrith,	Mr. Prince,	Mr. Tyler,
Mr. Coe,	Mr. Hoag,	Mr. Pride,	Mr. Vandervoort,
Mr. Cornwell,	Mr. Holly,	Mr. Rice,	Mr. Van Alſtyne,
Mr. Coryell,	Mr. Holt,	Mr. Robins,	Mr. Verplank,
Mr. De la Montagnie,	Mr. Horton,	Mr. Roſs,	Mr. Warner,
Mr. Denning,	Mr. Howard,	Mr. P. I. Schuyler,	Mr. Wendell,
Mr. J. A. De Witt,	Mr. Hunt,	Mr. P. P. Schuyler,	Mr. Weſt,
Mr. Dewey,	Mr. Lee,	Mr. A. Smith,	Mr. Williamſon.
Mr. Fonda,	Mr. M'Farlan,	Mr. T. Smith,	Mr. Wood. 70
Mr. Foot,	Mr. M'Neal,		

For the Affirmative.

Mr. Adams,	Mr. Boyd,	Mr. Comſtock,	Mr. Miller,
Mr. Arcularius,	Mr. Burling,	Mr. Hatfield,	Mr. Reeve,
Mr. Baldwin,	Mr. Burt,	Mr. J. Hogeboom,	Mr. Savage,
Mr. J. Barker,	Mr. Campbell,	Mr. K. Hogeboom,	Mr. Skidmore,
Mr. W. Barker,	Mr. Clark,	Mr. M'Cord,	Mr. Voſburgh. 21
Mr. Bevier,			

Two ſeveral meſſages from the Hon. the Senate, delivered by Mr. Schenck and Mr. Silveſter, with the bills therein reſpectively mentioned, were read, that the Senate have paſſed the bill entitled "*An act concerning Quit Rents,*" and the bill entitled "*An act to divide the county of Orange,*" to which they ſeverally requeſt the concurrence of this Houſe. The ſaid bills were ſeverally read the firſt time and ordered a ſecond reading.

A copy of a reſolution of the Hon. the Senate, alſo delivered by Mr. Schenck and Mr. Silveſter, was read, that the Senate do not concur with this Houſe in their reſolution as entered on the Journals on the 25th inſt. relative to the appointment of a joint committee of the Senate and Aſſembly to enquire whether any and what alterations are neceſſary in the laws relative to the fees, ſalaries and compenſation of the ſeveral officers of government and miniſters of juſtice.

Ordered, That the committee to whom was referred the report of the Inſpectors of the State Priſon be diſcharged from the further conſideration thereof.

A copy of a reſolution of the Hon. the Senate, alſo delivered by Mr. Schenck and Mr. Silveſter, was read, and is in the words following, viz.

Reſolved, (if the Hon. the Aſſembly concur herein) That a joint committee of the Senate and Aſſembly be appointed to take into conſideration the report of the Inſpectors of the State Priſon, and in caſe of ſuch concurrence, that Mr. Watſon, Mr. L'Hommedieu and Mr. Spencer be of the ſaid committee on the part of the Senate.

Reſolved, That this Houſe do concur with the Hon. the Senate in their ſaid reſolution, and that Mr. Denning, Mr. Verplank, Mr. Moffet, Mr. Griſwold and Mr. Comſtock be of the ſaid committee on the part of this Houſe.

Ordered, That Mr. Gregory and Mr. Griſwold deliver a copy of the preceding reſolution to the Hon. the Senate.

Ordered, That the committee of the whole Houſe be diſcharged from the further conſideration of the report of the Commiſſioners for building a State Priſon, and that the ſame be referred to the laſt mentioned committee.

Mr. J. Hogeboom, from the committee of the whole Houſe, on the bill entitled "*An act to annex part of the county of Herkemer, called Young's Patent, to the county of Otſego,*" reported progreſs, and obtained leave to ſit again.

A meſſage from the Hon. the Council of Reviſion, tranſmitted to this Houſe by the Hon. the Senate, was read, that it does not appear improper to the Council that the bill entitled "*An act concerning the Great Seal of this State,*" ſhould become a law of this State.

Then the Houſe adjourned until eleven o'clock on Monday morning next.

Monday, eleven o'clock, A. M. January 29th, 1798.

The engroſſed bill entitled "*An act for the relief of John Porteous and Alexander Ellice,*" was read the third time.

Reſolved, That the bill do paſs.

Ordered, That Mr. Griſwold and Mr. Hall deliver the bill to the Hon. the Senate, and requeſt their concurrence.

The bill entitled "*An act for the relief of Silas Wood and others,*" and the bill entitled "*An act ſupplementary to the act entitled "An act to reduce the laws concerning coſts into one ſtatute,*" were ſeverally read the ſecond time and committed to a committee of the whole Houſe.

A petition of John Oothout and others, a petition of William Edgar and others, and a petition of Jeremiah Smith and others, inhabitants of the city of New-York, praying that a law may be paſſed at the preſent ſeſſion for the more ample and ſpeedy relief of priſoners confined for debt, were ſeverally read and referred to Mr. Metcalfe, Mr. Burr, Mr. Bird, Mr. Bowman and Mr. Wood.

A petition of Albert Terhune and others, truſtees of the fiſhery at Graveſend, praying that an act may be paſſed prohibiting any perſon whatſoever from fiſhing at Coney Iſland, and from fixing ſet-nets in any part of Graveſend Bay, was read and ordered to lie on the table.

A petition of William Bayard, Herman Le Roy, Gerrit Boon and John Lincklaen relative to doubts as to the validity of mortgages which may be taken by them as truſtees for the perſons named in the act entitled "*An act for the relief of Willhelm Wellinck, Nicholas Van Stophorſt, Chriſtian Van Eeghen, Hendrick Vollenhoven, Rutger*

Jan Schimmelpennick and Peter Stadniſki, being aliens," paſſed the 11th April, 1796, and the act ſupplementary thereto, paſſed the 24th of February laſt, for ſecuring the purchaſe money upon ſales of the lands therein mentioned, and praying a removal of ſuch doubts, was read and referred to Mr. Burr, Mr. Comſtock and Mr. Wood.

A petition of William Kerſey and others, ſtyling themſelves the Court, Grand Jury and inhabitants of the county of Stuben, praying that the ſaid county may be entitled to receive the like benefits from the act for the encouragement of ſchools, as have been had by the other counties in this State, was read and referred to Mr. Hall, Mr. Baldwin and Mr. J. Barker.

A certificate from a number of inhabitants reſiding on Young's Patent, in the county of Herkemer, ſtating that their names to a certain petition preſented to this Houſe, praying that they may be annexed to the county of Otſego, were actually by them reſpectively ſigned, was read and committed to the committee of the whole Houſe when on the bill entitled "*An act to annex part of the county of Herkemer called Young's Patent to the county of Otſego.*"

A petition of Aſahel Strong and Joſeph Beach, praying a grant of vacant lands in the town of Willſborough in the county of Clinton, was read and referred to Mr. Savage, Mr. Wood and Mr. Hall.

A petition of Adam B. Vrooman and others, and a petition of Peter Ziele and others, inhabitants of the county of Schoharie, praying alterations in the act "to regulate highways," was read and committed to the committee of the whole Houſe when on the bill entitled "*An act to amend the act entitled "An act to regulate highways.*"

A memorial of the meeting for ſufferings, repreſenting the yearly meeting of the people called Quakers in this State, relative to ſlavery, was read and referred to Mr. Clinton, Mr. Jenkins and Mr. Gray.

A petition of William J. Vreedenburgh was read: thereupon,

Ordered, That the petitioner have leave to withdraw his petition.

Mr. Wood purſuant to notice by him for that purpoſe heretofore given, moved for and obtained leave to bring in a bill entitled "*An act concerning the auditing and allowance of certain public accounts,*" which was read the firſt time and ordered a ſecond reading.

Mr. Hovey from the committee to whom were referred ſeveral petitions from the inhabitants of the eaſterly part of the county of Tioga, and ſeveral petitions from the inhabitants of the county of Herkemer, reported in favor of the petitioners and obtained leave to bring in a bill entitled "*An act to erect part of the counties of Tioga and Herkemer into a ſeparate county,*" which was read the firſt time and ordered a ſecond reading.

Mr. M'Cord from the committee to whom was referred the petition of John Oſtrander, jun. reported in favor of the petitioner and obtained leave to bring in a clauſe to be added to ſome proper bill for that purpoſe.

Mr. Henry from the committee to whom was referred the petition of Sarah Scudder and Joſeph Crane, reported in favor of the petitioners, and obtained leave to bring in a bill entitled "*An act for the relief of the repreſentatives of Joſeph Crane, deceaſed,*" which was read the firſt time and ordered a ſecond reading.

Mr. Halſey from the committee to whom was referred the petition of Ralph Wilſon and others, reported in favor of the petitioners, and obtained leave to bring in a bill entitled "*An act for erecting a part of the county of Onondaga into a ſeparate county by the name of* ———," which was read the firſt time and ordered a ſecond reading.

Mr. Verplank moved for, and by the unanimous conſent of the Houſe obtained leave to bring in a bill entitled "*An act for the relief of certain perſons belonging to a ſettlement of Friends on the weſt ſide of the Seneca lake,*" which was read the firſt time and ordered a ſecond reading.

Mr. Clinton from the committee of the whole Houſe on the bill entitled "*An act to amend the act entitled "An act to regulate highways,*" reported progreſs and obtained leave to ſit again.

Then the Houſe adjourned until eleven o'clock to-morrow morning.

Tueſday, eleven o'clock, A. M. January 30th, 1798.

The bill entitled "*An act concerning Quit Rents,*" the bill entitled "*An act for dividing the county of Orange,*" the bill entitled "*An act concerning the auditing and allowance of certain public accounts,*" the bill entitled "*An act for the relief of certain perſons belong-*

ing to a ſettlement of Friends on the weſt ſide of the Seneca Lake," the bill entitled "*An act for the relief of the repreſentatives of Joſeph Crane, deceaſed,*" the bill entitled "*An act to erect part of the counties of Tioga and Herkemer into a ſeparate county,*" and the bill entitled "*An act for erecting a part of the county of Onondaga into a ſeparate county by the name of* ————," were ſeverally read the ſecond time, and committed to a committee of the whole Houſe.

A petition and remonſtrance of Eliphalet Norris and others, ſtiling themſelves members of a ſociety of Friends, ſettled on the weſt ſide of the Seneca Lake, remonſtrating againſt the paſſing of the bill entitled "*An act for the relief of certain perſons belonging to a ſettlement of Friends on the weſt ſide of the Seneca Lake,*" was read, and committed to a committee of the whole Houſe, when on the ſaid bill.

A petition of Thomas Frothingham and others, inhabitants of the city of Hudſon; a petition of Samuel Cock and others, and a petition of David Hopkins and others, inhabitants of the county of Waſhington, praying that a law may be paſſed at the preſent ſeſſion of the Legiſlature, for the more ample and ſpeedy relief of perſons confined for debt, was read, and referred to Mr. Metcalfe, Mr. Burr, Mr. Bird, Mr. Bowman and Mr. Wood.

A repreſentation and petition of the Truſtees of Union College, in the town of Schenectady, praying a donation of money, reſerved lands, or funded property, for the further promoting the ſaid inſtitution, was read, and referred to Mr. Kane, Mr. Burr and Mr. Wood.

A petition of the Mayor, Aldermen and Commonalty of the city of Albany, praying that a law may be paſſed enabling them to raiſe the ſum of 3,000 dollars by tax, for defraying the expenſe of lighting the lamps and for the ſupport of the night watch in the ſaid city, was read, and referred to Mr. Wendell, Mr. Deitz and Mr. Joel Thompſon.

A petition of Chriſtian Hartdewick, praying compenſation for his ſervices as a private in the firſt New-York regiment in the late war, was read, and referred to Mr. Hatfield, Mr. Burr and Mr. Snell.

A petition of John B. Coles, Charles Swift and William H. Ludlow, acting executors of the laſt will and teſtament of Robert C. Livingſton, deceaſed; and of others, relative to the eſtate of the ſaid teſtator, was read, and referred to the Attorney-General to report thereon.

A petition of John Harper, praying compenſation for ſervices done and money diſburſed during the late war, was read, and referred to Mr. Campbell, Mr. Adams and Mr. Snell.

A remonſtrance of Ebenezer Allen and others, remonſtrating againſt the propoſed ſeparation of the county of Herkemer, was read, and committed to a committee of the whole Houſe, when on the bill entitled "*An act to erect part of the counties of Tioga and Herkemer into a ſeparate county.*"

The Houſe proceeded to the conſideration of the objections of the Hon. the Council of Reviſion to the bill entitled "*An act for the relief of Anna Breadbake,*" as entered on the Journals of this Houſe on the 26th inſtant.

The ſaid objections having been again read and conſidered, and the ſaid bill being read and reconſidered, Mr. Speaker put the queſtion, whether the ſaid bill, notwithſtanding the objections of the Hon. the Council of Reviſion to the ſame, ſhall be a law of this State, and it was unanimouſly carried in the affirmative. Thereupon,

Reſolved, That the ſaid bill, notwithſtanding the objections of the Hon. the Council of Reviſion to the ſame, be a law of this State.

Ordered, That Mr. Hall and Mr. Halſey deliver the ſaid bill, with the objections of the Hon. the Council of Reviſion, and a copy of the preceding reſolution, to the Hon. the Senate.

Reſolved, (if the Hon. the Senate concur herein) That a joint committee of both Houſes be appointed to conſider and report whether any and what alterations and proviſions ſhould be made in the treaſury of this State; and in caſe of ſuch concurrence, that Mr. Wood, Mr. Burr, Mr. Bird, Mr. Griſwold and Mr. Williamſon be of the ſaid committee on the part of this Houſe.

Ordered, That Mr. Hall and Mr. Halſey deliver a copy of the preceding reſolution to the Hon. the Senate.

Mr. Griſwold, from the committee to whom was referred the petition of the widow and heirs of George Herkemer, deceaſed, reported againſt the prayer of the petitioners, which report was agreed to by the Houſe.

Mr. Wood, from the committee to whom was referred the petition of Archibald Gracie and others, reported in favor of the petitioners, and obtained leave to bring in a bill entitled "*An act to incorporate the New-York Inſurance Company,*" which was read the firſt time and ordered a ſecond reading.

Mr. Brown, from the committee of the whole Houſe, on the bill entitled "*An act to prevent unneceſſary public proſecutions when the parties injured have remedy by civil action,*" reported, that the committee had gone through the bill without amendment, which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

A meſſage from the Hon. the Senate, delivered by Mr. Silveſter and Mr. Strong, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "*An act for the regulation of pilots and pilotage for the port of New-York,*" with the amendments therewith delivered.

Ordered, That the conſideration of the ſaid amendments be poſtponed until Friday next.

A copy of a reſolution of the Hon. the Senate, alſo delivered by Mr. Silveſter and Mr. Strong, was read, that the Senate do concur with this Houſe in their reſolution as entered on this day's Journals, relative to the appointment of a joint committee of both Houſes to conſider and report whether any and what alterations and proviſions ſhould be made in the treaſury of this State, and that Mr. Jones, Mr. L'Hommedieu and Mr. Graham be of the ſaid committee on the part of the Senate.

A copy of a reſolution of the Hon. the Senate, alſo delivered by Mr. Silveſter and Mr. Strong, was read, and is in the words following, viz.

Reſolved, (if the Hon. the Aſſembly concur herein) That John Totten and others, proprietors of the ſwamp and bog-meadow (commonly called the Great Indigot, in the town of Miniſink, in the county of Orange) have leave to preſent to either Houſe of the Legiſlature, at their next meeting, a bill to authorize them to raiſe a ſum not exceeding 750 dollars by aſſeſſment upon the proprietors of the ſaid ſwamp or bog-meadow, commonly called the Great Indigot, agreeably to the prayer of their petition, provided the ſaid petitioners cauſe a copy of this reſolution to be previouſly publiſhed for ſix weeks ſucceſſively in the public newſpaper printed in the town of Goſhen, to the end, that any perſonor perſons who may conceive their intereſt affected thereby may appear at the bar of either Houſe of the Legiſlature, and ſhew cauſe, (if they any they have) againſt the paſſing of ſuch bill.

Reſolved, That this Houſe do concur with the Hon. the Senate in their ſaid preceding reſolution.

Ordered, That Mr. Halſey and Mr. Hatfield deliver a copy of the preceding reſolution of concurrence to the Hon. the Senate.

Mr. Clinton, from the committee of the whole Houſe, on the bill entitled "*An act to amend the act entitled "An act to regulate highways,*" reported, that the firſt enacting clauſe of the ſaid bill was read, and is in the words following, viz.

Be it enacted by the people of the State of New-York repreſented in Senate and Aſſembly, That when it ſhall happen that in any of the counties, ſubject to ſaid act, a greater quantity of work is required to keep in repair the roads than has bren rated on the inhabitants of ſaid road diſtrict, by the Commiſſioners at their annual meetings, agreeable to ſaid act, then, and in ſuch caſe, it ſhall and may be lawful for the overſeers of roads in each diſtrict, and they are hereby required to make out another aſſeſſment, not to exceed one third the number of days aſſeſſed before in the ſame year, any thing in the exiſting law to the contrary notwithſtanding.

That Mr. Comſtock made a motion, that the committee ſhould agree to ſubſtitute the following in the room of the ſaid firſt enacting clauſe, which ſubſtitute is in the words following, viz.

Be it enacted by the people of the State of New-York repreſented in Senate and Aſſembly, That the firſt enacting clauſe of the act hereby amended, ſhall be and the

ſame is hereby repealed; that debates were had thereon, and the queſtion being put whether the committee did agree to ſubſtitute the clauſe propoſed by the motion of Mr. Comſtock, it paſſed in the negative in the manner following, viz.

For the Negative.

Mr. T. Barker,	Mr. Griſwold,	Mr. Metcalf,	Mr. N. Smith,
Mr. Benton,	Mr. Heermance,	Mr. Miller,	Mr. Speaker,
Mr. Bird,	Mr. Henry,	Mr. Mitchell,	Mr. Thomas,
Mr. Bowen,	Mr. Hoag,	Mr. Moſſet,	Mr. Jeſſe Thompſon,
Mr. Brown,	Mr. K. Hogeboom,	Mr. Morſe,	Mr. Tyler,
Mr. Campbell,	Mr. Hovey,	Mr. Ogden,	Mr. Vandervoort,
Mr. Carman,	Mr. Howard,	Mr. Potter,	Mr. Verplank,
Mr. Clifft,	Mr. Hunt,	Mr. Prince,	Mr. Voſburgh,
Mr. Coryell,	Mr. Jenkins,	Mr. Pride,	Mr. Wendell,
Mr. Foot,	Mr. Kane,	Mr. Reeve,	Mr. Wheeler,
Mr. Fort,	Mr. M'Farlan,	Mr. Roſs,	Mr. Williamſon,
Mr. Gettman,	Mr. M'Neal,	Mr. J. Smith,	Mr. Wood. 49
Mr. Gray,			

For the Affirmative.

Mr. Adams,	Mr. Burt,	Mr. J. Hogeboom,	Mr. T. Smith,
Mr. Arcularius,	Mr. Coe,	Mr. Holly,	Mr. Snell,
Mr. Baldwin,	Mr. Comſtock,	Mr. Horton,	Mr. Storm,
Mr. J. Barker,	Mr. Cornwell,	Mr. Lee,	Mr. Teed,
Mr. W. Barker,	Mr. Deitz,	Mr. M'Cord,	Mr. Iſrael Thompſon,
Mr. Bevier,	Mr. De la Montagnie,	Mr. Micheau,	Mr. Joel Thompſon,
Mr. Boyd,	Mr. J. A. De Witt,	Mr. Pearſall,	Mr. Van Alſtyne,
Mr. Bruyn,	Mr. Gregory,	Mr. Savage,	Mr. Warner,
Mr. Burr,	Mr. Halſey,	Mr. Skidmore,	Mr. Weſt. 39
Mr. Burling,	Mr. Hatfield,	Mr. A. Smith,	

That in proceeding further in the ſaid bill, another clauſe thereof was read, and is in the words following, viz.

"And be it further enacted, That ſo much of the ſaid act hereby amended, as reſpects the alteration of waggons, ſhall be, and the ſame is hereby repealed."

That debates were had thereon, and the queſtion being put, whether the committee did agree thereto, it was carried in the affirmative in the manner following, viz.

For the Affirmative.

Mr. Adams,	Mr. Fort,	Mr. Lee,	Mr. J. Smith,
Mr. Baldwin,	Mr. Gettman,	Mr. M'Cord,	Mr. Snell,
Mr. J. Barker,	Mr. Gray,	Mr. Micheau,	Mr. Speaker,
Mr. W. Barker,	Mr. Gregory,	Mr. Moſſet,	Mr. Teed,
Mr. Benton,	Mr. Heermance,	Mr. Pearſall,	Mr. Jeſſe Thompſon,
Mr. Bevier,	Mr. Henry,	Mr. Potter,	Mr. Iſrael Thompſon,
Mr. Carman,	Mr. Hoag,	Mr. Pride,	Mr. Van Alſtyne,
Mr. Clifft,	Mr. J. Hogeboom,	Mr. Rice,	Mr. Verplank,
Mr. Comſtock,	Mr. K. Hogeboom,	Mr. Savage,	Mr. Voſburgh,
Mr. Cornwell,	Mr. Holly,	Mr. Skidmore,	Mr. Warner,
Mr. Coryell,	Mr. Horton,	Mr. A. Smith,	Mr. Wendell,
Mr. Deitz,	Mr. Jenkins,	Mr. T. Smith,	Mr. Weſt. 49
Mr. Foot,			

For the Negative.

Mr. Arcularius,	Mr. Campbell,	Mr. Halſey,	Mr. Reeve,
Mr. T. Barker,	Mr. Clark,	Mr. Hatfield,	Mr. N. Smith,
Mr. Bowen,	Mr. Coe,	Mr. Hovey,	Mr. Joel Thompſon,
Mr. Boyd,	Mr. De la Montagnie,	Mr. Howard,	Mr. Tyler,
Mr. Brown,	Mr. J. A. De Witt,	Mr. Hunt,	Mr. Vandervoort,
Mr. Bruyn,	Mr. Dewey,	Mr. M'Farlan,	Mr. Wheeler,
Mr. Burr,	Mr. Fonda,	Mr. M'Neal,	Mr. Williamſon.
Mr. Burling,	Mr. Griſwold,	Mr. Mitchell,	Mr. Wood. 35
Mr. Burt,	Mr. Hall,	Mr. Morſe,	

Mr. Clinton reported further progreſs in the ſaid bill, and obtained leave to ſit again.

Mr. Wood, purſuant to notice by him for that purpoſe heretofore given, moved for and obtained leave to bring in a bill entitled "*An act for the more ſpeedy puniſhment of petit Larceny,*" which was read the firſt time and ordered a ſecond reading.

Then the Houſe adjourned until eleven o'clock to-morrow morning.

Wedneſday, eleven o'clock, A. M. January 31ſt, 1798.

The engroſſed bill entitled "*An act to prevent unneceſſary public proſecutions when the parties injured have remedy by civil action,*" was read the third time.

Reſolved, That the bill do paſs.

Ordered, That Mr. Hatfield and Mr. Heermance deliver the bill to the Hon. the Senate, and requeſt their concurrence.

The bill entitled "*An act for the more ſpeedy puniſhment of petit Larceny,*" and the bill entitled "*An act to incorporate the New-York Inſurance Company,*" were ſeverally read the ſecond time and committed to a committee of the whole Houſe.

A petition of David Wandle of the county of Ulſter, and a petition of David Bates of the town of Schenectady, ſeverally praying grants of bounty lands for their ſervices during the late war, were read and referred to Mr. Hatfield, Mr. Burr and Mr. Snell.

A petition of Jacob Bleecker, jun. Harmanus Ten Eyck and others, relative to the diſpoſition of a certain part of the real eſtate deviſed to them by the laſt will and teſtament of John H. Ten Eyck, late of the city of Albany, deceaſed, was read and referred to Mr. Wendell, Mr. Fort and Mr. Gettman.

A petition of Abraham Van Taſſel, gaoler of the city and county of Albany, relative to an account againſt the ſaid city and county, was read and referred to Mr. Vandervoort, Mr. Fonda and Mr. J. Hogeboom.

A petition of John Rooſevelt and others, a petition of John W. Livingſton and others, inhabitants of the city of New-York, and three ſeveral petitions of inhabitants of the county of Saratoga, praying that a law may be paſſed at the preſent ſeſſion for the more ample and ſpeedy relief of priſoners confined for debt, were ſeverally read and referred to Mr. Metcalfe, Mr. Burr, Mr. Bird, Mr. Bowman and Mr. Wood.

A meſſage from his Excellency the Governor, delivered by his private ſecretary, was read, and is in the words following, viz.

GENTLEMEN,

The Attorney-General has communicated to me the letter and papers which accompany this meſſage, and which I think ſhould alſo be made known to you.

JOHN JAY.

ALBANY, *January 30th*, 1798.

The ſaid letter and papers were read, and are in the words following, viz.

January 6th, 1798.

SIR,

THE Legiſlature of the State of Connecticut, has empowered the Governor to execute and deliver to the State of New-York, a deed of releaſe of the juridical power of the former, to certain lands called the Connecticut Gore, when application ſhall be made for the ſame, by the proprietors, or grantees of that territory. We have the honour to incloſe to you a copy of the act.

The grantees under Connecticut, claiming to be proprietors of that territory, impreſſed with an idea that the State of New-York have no wiſh to continue a legal controverſy, if juſtice may be as well done without it, have appointed us as commiſſioners and agents, to treat with commiſſioners or agents from the State of New-York, on this buſineſs. A copy of that appointment is alſo tranſmitted.

Conceiving, that there is a probability, that a negociation may do juſtice to the parties, and prevent further expenſive litigations, we undertake the buſineſs; and have the honor to inform you, that we ſhall be ready to meet agents from the State of New-York, at any time and place which may be propoſed for an interview.

The intention of our conſtituents is eaſily diſcerned from the acts, of which we incloſe copies. And we ſhall rely upon it, that if a meeting is propoſed by agents duly appointed by the State of New-York, it will be done, under an idea of a ſpeedy and honorable adjuſtment of the controverſy.

We have the honor to be, with reſpect,

Your moſt humble ſervants,

JAMES SULLIVAN,
ALEX. WOLCOTT,
JAMES WADSWORTH.

Mr. HOFFMAN, *Attorney-General of the State of New-York.*

At a General Aſſembly of the State of Connecticut, holden at New-Haven, on the ſecond Thurſday of October, Anno Domini 1797.

UPON the memorial of the purchaſers and owners of the tract of land called the Connecticut Gore, praying that ſome proper perſon may be authorized and empowered to cede and relinquiſh the right and claims of this State to juriſdiction in and over ſaid tract of land to the State of New-York, as per memorial on file.

RESOLVED by this Aſſembly, That when the proprietors of the tract of land or territory called the Gore, ſhall have ſettled and adjuſted all diſputes and controverſies ſubſiſting between the ſaid proprietors and the State of New-York, or thoſe claiming under ſaid State of New-York, relative to the territorial claim to ſaid lands, and the ſame ſhall be certified to the Governor of this State; the Governor be, and he is hereby empowered and deſired on application of ſaid proprietors, and at the deſire of ſaid State of New-York, to execute and deliver to ſaid State of New-York, or to ſuch perſon or perſons as it ſhall appoint for that purpoſe, a releaſe of the whole juridical right of this State in and over the aforeſaid territory: Provided the conſent of the Congreſs of the United States thereto, be firſt had and obtained.

(L. S.) *A true copy of Record, examined and compared. In teſtimony whereof the public ſeal of the ſaid State of Connecticut is hereunto affixed,*

By SAMUEL WYLLYS, Secretary.

WHEREAS the General Aſſembly of the State of Connecticut, at their Seſſion in New-Haven, on the ſecond Thurſday of October, 1797, paſſed a Reſolve in the words following, viz.

"RESOLVED by this Aſſembly, That when the Proprietors of the tract of Land, "or Territory, called the Gore, ſhall have ſettled and adjuſted all diſputes and "controverſies, ſubſiſting between the ſaid Proprietors and the State of NewYork, "or thoſe claiming under ſaid State of New-York, relative to the Territorial claim "to ſaid Lands, and the ſame ſhall be certified to the Governor of this State; the "Governor be, and he hereby is, empowered and directed, on application of the "ſaid Proprietors, and at the deſire of ſaid State of New-York, to execute and deliver "to ſaid State of New-York, or to ſuch perſon or perſons, as it ſhall appoint for the "purpoſe, a releaſe of the whole *Juridical Right* of this State, in and over the afore-"ſaid Territory: Provided the conſent of the Congreſs of the United States thereto, "be firſt had and obtained."

NOW THEREFORE for the purpoſe of carrying into effect the object of ſaid Reſolve, and of procuring, upon fair and equitable principles, a ſettlement, reſpecting the juriſdiction and right of ſoil, in the lands referred to, in ſaid Reſolve: Be it known to all to whom theſe preſents may come, that we the Connecticut Gore Land Company in conſtitutional and legal meeting aſſembled, placing eſpecial truſt and confidence, in the prudence, integrity, and abilities, of the Hon. James Sullivan of Boſton, in the Commonwealth of Maſſachuſetts, the Hon. James Wadſworth of Durham, and Alexander Wolcott, Eſq. of Windſor, both of the State of Connecticut; Do, by theſe preſents, conſtitute, authorize and appoint the ſaid James Sullivan, James Wadſworth and Alexander Wolcott, our Commiſſioners or Agents, with full powers to negociate on our part, for, and on our behalf, with the State of New-York, or with any perſon or perſons by ſaid State named, on their part, (inveſted with ſimilar powers) terms of ſettlement reſpecting the right of ſoil, juriſdiction, poſſeſſion and claim, in and to ſaid lands commonly called the Connecticut Gore; and receive poſſeſſion or other ſatisfaction as may be agreed on; or to bargain, ſell, and diſpoſe of the whole of ſaid tract, or any part thereof, as well the Juridical, as Territorial Right, on ſuch terms, and conditions, and for ſuch ſum, ſecurity or ſatisfaction, as they the ſaid Commiſſioners may think proper; and to do all things in the premiſes which we ourſelves might do if individually preſent; uſing the ſame diſcretion therein, as they would exerciſe, if ſolely intereſted in the event of ſuch ſettlement; and whatever ſhall be done by our Commiſſioners in the premiſes, ſhall be binding and concluſive upon this Company, and the Proprietors of ſaid lands

claiming under the State of Connecticut: And if a ſettlement ſhould be effected on terms, and conditions, whereby it ſhould become neceſſary, our ſaid Commiſſioners are hereby farther empowered and authorized to apply to the Congreſs of the United States for liberty, and to the Governor of this State for a releaſe of the juriſdicton of Connecticut, in and over ſaid lands, according to the intent, meaning and proviſions of the reſolve aforeſaid; and the Truſtees of ſaid Company are good and lawful Deeds thereof, to make and execute, being authorized and empowered for that purpoſe: Provided ſuch negociation be effectually entered upon before the firſt day of April next.

In witness whereof we have deſired our Chairman to ſign and ſeal theſe preſents, and our Clerk to counterſign the ſame, and the Directors of our ſaid Company to ſubſcribe their aſſent thereto.

Done in Hartford, this 27th day of December, 1797.

(L. S.)

HEZEKIAH BISSELL, *Chairman.*

Atteſt, JOSEPH WOODBRIDGE, Clerk.

Aſſented to by JACOB OGDEN, HEZEKIAH BISSELL, THOMAS BULL, } Directors.

Ordered, That the conſideration of the ſaid meſſage of his Excellency the Governor and papers accompanying the ſame be poſtponed.

Ordered, That 150 copies of the ſaid papers be forthwith printed for the uſe of the Members of this Houſe.

Ordered, That the committee of the whole Houſe be diſcharged from the further conſideration of the bill entitled "*An act for the relief of certain perſons belonging to a ſettlement of Friends on the weſt ſide of the Seneca Lake,*" and that the ſame be committed to a ſelect committee conſiſting of Mr. Burr, Mr. Metcalfe and Mr. Bowman.

Mr. Clinton from the committee to whom was referred the memorial of the meeting for ſufferings repreſenting the yearly meeting of the people called Quakers, in this State, reported in favor of the petitioners, and obtained leave to bring in a bill entitled "*An act concerning manumiſſions of ſlaves heretofore made by the people commonly called Quakers,*" which was read the firſt time and ordered a ſecond reading.

A meſſage from the Hon. the Senate, delivered by Mr. Strong and Mr. Ten Eyck, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "*An act for dividing the town of Crown Point,*" to which they requeſt the concurrence of this Houſe; the ſaid bill was read the firſt time and ordered a ſecond reading.

A copy of a reſolution of the Hon. the Senate, alſo delivered by Mr. Strong and Mr. Ten Eyck, was read, and is in the words following, viz.

Reſolved, That the bill entitled "*An act for the relief of Anna Breadbake,*" be *not* a law of this State.

Mr. M'Neal purſuant to notice by him for that purpoſe heretofore given, moved for and obtained leave to bring in a bill entitled "*An act to divide the town of Whiteſtown in Herkemer county,*" which was read the firſt time and ordered a ſecond reading.

Mr. Clinton from the committee of the whole Houſe on the bill entitled "*An act to amend the act entitled "An act to regulate highways,*" reported, that in proceeding in the ſaid bill Mr. Hovey made a motion that the committee ſhould agree to add a clauſe to the ſaid bill, which was read, and is in the words following, viz.

And be it further enacted, That whenever the ſuperintendants ſhall lay before the ſuperviſors an eſtimate of the ſums deemed neceſſary for the purpoſes in the ſaid act ſpecified, it ſhall be in the diſcretion of the ſuperviſors to cauſe to be raiſed the whole or ſuch part only of ſuch ſum as ſhall in their opinion be expedient, and that nothing in the ſaid act contained ſhall be conſtrued to give to the ſaid ſuperintendants a power to direct the amount of the ſum or ſums to be levied or collected.

That debates were had thereon, and the queſtion being put whether the committee

did agree to the ſaid clauſe, it was carried in the affirmative in the manner following, viz.

For the Affirmative.

Mr. Adams,	Mr. Clark,	Mr. Holly,	Mr. A. Smith,
Mr. Arcularius,	Mr. Coe,	Mr. Hovey,	Mr. T. Smith,
Mr. Baldwin,	Mr. Comſtock,	Mr. Hunt,	Mr. N. Smith,
Mr. T. Barker,	Mr. Deitz,	Mr. Lee,	Mr. Snell,
Mr. J. Barker,	Mr. De la Montagnie,	Mr. M'Cord,	Mr. Storm,
Mr. W. Barker,	Mr. Denning,	Mr. Micheau,	Mr. Teed,
Mr. Bevier,	Mr. J. A. De Witt,	Mr. Miller,	Mr. Iſrael Thompſon,
Mr. Boyd,	Mr. Gregory,	Mr. Mitchell,	Mr. Joel Thompſon,
Mr. Bruyn,	Mr. Halſey,	Mr. Reeve,	Mr. Van Alſtyne,
Mr. Burling,	Mr. Hatfield,	Mr. Robins,	Mr. Voſburgh,
Mr. Burt,	Mr. Heermance,	Mr. Savage,	Mr. Warner,
Mr. Campbell,	Mr. J. Hogeboom,	Mr. Skidmore,	Mr. Weſt. 50
Mr. Carman,	Mr. K. Hogeboom,		

For the Negative.

Mr. Benton,	Mr. Gray,	Mr. Metcalfe,	Mr. Thomas,
Mr. Bowen,	Mr. Griſwold,	Mr. Moffet,	Mr. Jeſſe Thompſon,
Mr. Brown,	Mr. Hall,	Mr. Morſe,	Mr. Towner,
Mr. Clifft,	Mr. Henry,	Mr. Ogden,	Mr. Tyler,
Mr. Cornwell,	Mr. Hoag,	Mr. Potter,	Mr. Vandervoort,
Mr. Coryell,	Mr. Horton,	Mr. Prince,	Mr. Verplank,
Mr. Dewey,	Mr. Howard,	Mr. Pride,	Mr. Wendell,
Mr. Fonda,	Mr. Jenkins,	Mr. Roſs,	Mr. Williamſon.
Mr. Fort,	Mr. Kane,	Mr. J. Smith,	Mr. Wood. 39
Mr. Gettman,	Mr. M'Neal,	Mr. Speaker,	

That Mr. Griſwold then made a motion that the committee ſhould reconſider the ſaid clauſe; that the queſtion being put whether the committee did agree to the motion of Mr. Griſwold, it paſſed in the negative in the manner following, viz.

For the Negative.

Mr. Adams,	Mr. Carman,	Mr. Hunt,	Mr. A. Smith,
Mr. Arcularius,	Mr. Coe,	Mr. Jenkins,	Mr. T. Smith,
Mr. Baldwin,	Mr. Comſtock,	Mr. Lee,	Mr. N. Smith,
Mr. J. Barker,	Mr. Deitz,	Mr. M'Cord,	Mr. Storm,
Mr. T. Barker,	Mr. De la Montagnie,	Mr. Micheau,	Mr. Teed,
Mr. W. Barker,	Mr. Denning,	Mr. Miller,	Mr. Iſrael Thompſon,
Mr. Bevier,	Mr. J. A. De Witt,	Mr. Pearſall,	Mr. Joel Thompſon,
Mr. Boyd,	Mr. Halſey,	Mr. Reeve,	Mr. Van Alſtyne,
Mr. Bruyn,	Mr. Hatfield,	Mr. Robins,	Mr. Voſburgh,
Mr. Burling,	Mr. Heermance,	Mr. Savage,	Mr. Warner,
Mr. Burt,	Mr. K. Hogeboom,	Mr. Skidmore,	Mr. Weſt. 46
Mr. Campbell,	Mr. Hovey,		

For the Affirmative.

Mr. Benton,	Mr. Griſwold,	Mr. Moffet,	Mr. Thomas,
Mr. Bowen,	Mr. Hall,	Mr. Morſe,	Mr. Jeſſe Thompſon,
Mr. Brown,	Mr. Henry,	Mr. Ogden,	Mr. Towner,
Mr. Clifft,	Mr. Hoag,	Mr. Potter,	Mr. Tyler,
Mr. Cornwell,	Mr. J. Hogeboom,	Mr. Pride,	Mr. Vandervoort,
Mr. Coryell,	Mr. Holly,	Mr. Rice,	Mr. Verplank,
Mr. Dewey,	Mr. Horton,	Mr. Roſs,	Mr. Wendell,
Mr. Fonda,	Mr. Maſon,	Mr. J. Smith,	Mr. Wheeler,
Mr. Fort,	Mr. M'Farlan,	Mr. Snell,	Mr. Williamſon,
Mr. Gettman,	Mr. M'Neal,	Mr. Speaker,	Mr. Wood. 42
Mr. Gray,	Mr. Metcalf,		

Mr. Clinton further reported, that the committee had gone through the bill, made amendments, added clauſes and filled up the blanks, which he was directed to report to the Houſe, and he read the report in his place and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

Mr. De la Montagnie, from the committee of the whole Houſe on the bill entitled "*An act concerning the auditing and allowance of certain public accounts*," reported, that the committee had gone through the bill without amendment, which he was directed

to report to the Houſe, and he read the report in his place and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

Ordered, That the bill entitled "*An act concerning quit rents*," be made the order of the day for to-morrow, and that the bill entitled "*An act providing for the expenſe of the Health-Office in the city of New York*," be made the order of the day for Friday next.

Then the Houſe adjourned until ten o'clock to-morrow morning.

Thurſday, ten o'clock, A. M. February 1ſt, 1798.

The engroſſed bill entitled "*An act concerning the auditing and allowance of certain public accounts*," was read the third time.

Reſolved, That the bill do paſs.

Ordered, That Mr. Henry and Mr. J. Hogeboom deliver the bill to the Hon. the Senate and requeſt their concurrence.

The bill entitled "*An act for dividing the town of Crown Point*," the bill entitled "*An act concerning manumiſſions of ſlaves heretofore made by people commonly called Quakers*," and the bill entitled "*An act to divide the town of Whiteſtown, in Herkemer county*," were ſeverally read the ſecond time and committed to a committee of the whole Houſe.

A petition of Peter Boice, praying compenſation for his ſervices as a ſoldier in Col. Van Schaick's regiment of New-York ſtate troops, during the late war, was read, and referred to Mr. Hatfield, Mr. Burr and Mr. Snell.

A petition of Joſeph Hawkins of Kingſbury in the county of Waſhington, praying that a law may be paſſed authorizing the raiſing a ſum of money by lottery, to enable him to perform a voyage to Europe, for the purpoſe of endeavoring to recover his ſight, of which he has been deprived for ſome years, was read, and referred to Mr. Brown, Mr. Mitchell and Mr. Adams.

Mr. Jenkins, from the committee of the whole Houſe, on the bill entitled "*An act concerning Quit Rents*," reported progreſs, and obtained leave to ſit again.

A copy of a reſolution of the Hon. the Senate, delivered by Mr. Ten Eyck and Mr. Tillotſon, was read, and is in the words following, viz.

Reſolved, (if the Hon. the Aſſembly concur herein) That his Excellency the Governor be requeſted to take order for defraying the expenſes of the ſubſiſtance of the deputation from the Onondaga tribe of Indians, on buſineſs with the State, and now in this city; and that he furniſh them with ſuch preſents as are cuſtomary in ſimilar caſes, and that the Legiſlature will make proviſion for the payment of the ſame.

Reſolved, That this Houſe do concur with the Hon. the Senate in their ſaid preceding reſolution.

Ordered, That Mr. Hatfield and Mr. Heermance deliver a copy of the preceding reſolution to the Hon. the Senate.

Mr. Benton, from the committee of the whole Houſe, on the bill entitled "*An act to regulate the returning and impannelling of jurors for the trial of iſſues*," reported progreſs, and obtained leave to ſit again.

Mr. Clinton, purſuant to notice by him for that purpoſe heretofore given, made a motion, that the Houſe ſhould agree to a reſolution in the words following, viz.

Reſolved, (if the Hon. the Senate concur herein) That a joint committee of both Houſes be appointed to conſider and report whether any, and if any, what proviſion, reward, gratuity or compenſation, be proper to be made to the Hon. Robert Yates, who is about to go out of office, and the Hon. John Sloſs Hobart, who has recently gone out of office as Judges of the Supreme Court of Judicature of this State; and in caſe of ſuch concurrence, that be a committee on the part of this Houſe.

Debates were had thereon, and the queſtion being put, whether the Houſe did agree to the ſaid reſolution, it was carried in the affirmative in the manner following, viz.

For the Affirmative.

Mr. Arcularius,	Mr. Coryell,	Mr. Hovey,	Mr. Roſs,	
Mr. Baldwin,	Mr. De la Montagnie,	Mr. Howard,	Mr. P. P. Schuyler,	
Mr. Bird,	Mr. Fonda,	Mr. Hunt,	Mr. Ten Broeck,	
Mr. Bowen,	Mr. Foot,	Mr. Jenkins,	Mr. Jeſſe Thompſon,	
Mr. Boyd,	Mr. Gregory,	Mr. Maſon,	Mr. Iſrael Thompſon,	
Mr. Brown,	Mr. Griſwold,	Mr. M'Neal,	Mr. Tyler,	
Mr. Burr,	Mr. Hall,	Mr. Metcalfe,	Mr. Verplank,	
Mr. Burling,	Mr. Henry,	Mr. Micheau,	Mr. Voſburgh,	
Mr. Campbell,	Mr. Hoag,	Mr. Morſe,	Mr. Warner,	
Mr. Clinton,	Mr. J. Hogeboom,	Mr. Ogden,	Mr. Williamſon,	
Mr. Cornwell,	Mr. K. Hogeboom,	Mr. Robins,	Mr. Wood.	44

For the Negative.

Mr. Adams,	Mr. Coe,	Mr. M'Farlan,	Mr. T. Smith,	
Mr. J. Barker,	Mr. Comſtock,	Mr. Moffet,	Mr. Snell,	
Mr. T. Barker,	Mr. Deitz,	Mr. Pearſall,	Mr. Teed,	
Mr. W. Barker,	Mr. Fort,	Mr. Potter,	Mr. Joel Thompſon,	
Mr. Benton,	Mr. Gettman,	Mr. Prince,	Mr. Towner,	
Mr. Bowman,	Mr. Gray,	Mr. Pride,	Mr. Vandervoort,	
Mr. Bruyn,	Mr. Halſey,	Mr. Reeve,	Mr. Van Alſtyne,	
Mr. Burt,	Mr. Hatfield,	Mr. Skidmore,	Mr. Wendell,	
Mr. Carman,	Mr. Holly,	Mr. A. Smith,	Mr. Weſt,	
Mr. Clark,	Mr. Lee,	Mr. J. Smith,	Mr. Wheeler.	42
Mr. Clifft,	Mr. M'Cord,			

Thereupon, *Reſolved*, (if the Hon. the Senate concur herein) that a joint committee of both Houſes be appointed to conſider and report whether any, and if any, what proviſion, reward, gratuity or compenſation, be proper to be made to the Hon. Robert Yates, who is about to go out of office, and the Hon. John Sloſs Hobart, who has recently gone out of office, as judges of the Supreme Court of judicature of this State, and in caſe of ſuch concurrence, that Mr. Griſwold, Mr. Clinton, Mr. Comſtock, Mr. Wood and Mr. Verplank be of the ſaid committee on the part of this Houſe.

Ordered, That Mr. Hatfield and Mr. Heermance deliver a copy of the preceding reſolution to the Hon. the Senate and requeſt their concurrence.

The Attorney-General, to whom was referred the petition of Abraham I. Yates and others, reported, that it is ſtated in the ſaid petition, that Cornelius K. Vandenbergh, by his laſt will and teſtament, deviſed in fee the equal half part of his real and perſonal eſtate to certain perſons named therein, that the whole of the real eſtate whereof the teſtator died ſeized, conſiſts of a lot of paſture ground in the town of Watervliet in the county of Albany, containing about two acres of land.

The petitioners alledge, that ſome of the deviſees are infants, and that others of them reſide in the State of New-Jerſey, that by reaſon of the ſmallneſs of the ſaid lot of ground, it is impracticable to make a diviſion of the ſame without manifeſt prejudice to all the parties intereſted therein, and pray a law to enable Abraham I. Yates one of the executors named in the ſaid laſt will and teſtament, to diſpoſe of the ſaid lot of ground at public vendue, and to diſtribute the proceeds of ſuch ſale amongſt the ſaid deviſees, in proportion to their reſpective intereſts.

Admitting this ſtatement of facts to be correct, yet in the opinion of the Attorney-General, any Legiſlative proviſion in the premiſes, would be an improper interference, with the rights of third perſons.

The teſtator had the right of diſpoſing of his property as he judged beſt: any law conferring powers not granted by his ſaid will, would be *virtually* ſubſtituting a new will in place of the one executed by him, and might contravene his own intentions which were legal, and ought not therefore to be defeated.

All which is reſpectfully ſubmitted.

JOSIAH OGDEN HOFFMAN.

ALBANY, *February 1ſt*, 1798.

Reſolved, That this Houſe do agree with the Attorney-General in his ſaid report.

Mr. Wood from the committee appointed to take into conſideration that part of his Excellency the Governor's ſpeech which relates to taxation, reported, that he was directed by the ſaid committee to aſk for leave to bring in a bill relative thereto; leave being granted, Mr. Wood brought in the ſaid bill, entitled "*An act making alterations in the act entitled "An act for defraying the public and neceſſary charges in the reſpective counties of this State,*" which was read the firſt time and ordered a ſecond reading.

Mr. De la Montagnie purſuant to notice by him for that purpoſe heretofore given, moved for and obtained leave to bring in a bill entitled "*An act to enable the Mayor, Recorder and Aldermen of the city of New-York to order the raiſing monies by tax for the maintenance of the poor, and for defraying the other contingent expenſes ariſing in the city and county of New-York,*" which was read the firſt time and ordered a ſecond reading.

Mr. M'Farlan purſuant to notice by him for that purpoſe heretofore given, moved for and obtained leave to bring in a bill entitled "*An act concerning conſtables and collectors,*" which was read the firſt time and ordered a ſecond reading.

Mr. Burling from the committee of the whole Houſe on the bill entitled "*An act for the relief of Silas Wood and others,*" reported, that the committee had gone through the bill and altered the title, that the altered title is "*An act for the relief of the purchaſers of certain lands in the 4th allotment of the Royal Grant,*" which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table where it was again read and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

Then the Houſe adjourned until eleven o'clock to-morrow morning.

Friday, eleven o'clock, A. M. February 2d, 1798.

The bill entitled "*An act making alterations in the act entitled "An act for defraying the public and neceſſary charges in the reſpective counties of this State,*" the bill entitled "*An act to enable the Mayor, Recorder and Aldermen of the city of New-York to order the raiſing monies by tax for the maintenance of the poor, and for defraying the contingent expenſes ariſing in the city and county of New-York,*" and the bill entitled "*An act concerning conſtables and collectors,*" were ſeverally read the ſecond time and committed to a committee of the whole Houſe.

A petition of Peter Bodine and others, poſſeſſors of a certain tract of land in the county of Ulſter, called the Gatehouſe tract, alledged to have become forfeited to the people of this State by the attainder of David Matthews, praying a grant thereof, was read, and referred to Mr. Burr, Mr. M'Cord and Mr. Hatfield to report a ſtate of facts.

A petition of Daniel Sexton and others, inhabitants of the county of Otſego, and a petition of Nicholas Caſler and others, inhabitants of the counties of Montgomery and Herkemer, praying a repeal of the law authorizing the collection of quit rents, were ſeverally read and committed to the committee of the whole Houſe when on the bill entitled "*An act concerning quit rents.*"

A petition of Ebenezer Smith and others, inhabitants of the county of Saratoga, praying that a law may be paſſed at the preſent ſeſſion, for the more ample and ſpeedy relief of priſoners confined for debt, was read and referred to Mr. Metcalfe, Mr. Burr, Mr. Bird, Mr. Bowman and Mr. Wood.

A petition of Reuben Parkinſon and others of the county of Schoharie, praying to be incorporated by the name of the Weſtern Turnpike Company, was read and referred to Mr. Dewey, Mr. Bowen, Mr. Burt, Mr. Gettman and Mr. Brown.

A petition of Peter P. Van Zandt and others, and a petition of Charles Penny and others, inhabitants of the city of New-York, praying a repeal of the act concerning the recovery of debts and demands to the value of ten pounds in the ſaid city, together with the depoſitions of the conſtables and marſhalls of ſaid city, were ſeverally read and referred to the committee for courts of juſtice.

A petition of Sydney Berry and others of the town of Saratoga, praying for a diviſion of the ſaid town was read and referred to Mr. Gregory, Mr. Hoag and Mr. Skidmore.

A petition of Uriah Fitch and others, and a petition of Enoch T. Henry and others, freeholders and inhabitants of the county of Clinton, praying that a law may be paſſed authorizing collectors to ſell ſo much of the unoccupied lands, in ſaid county, as ſhall defray the proportion of public charges, were ſeverally read, and referred to Mr. Roſs, Mr. Potter and Mr. Pride.

A petition of Platt Wickes and others, inhabitants of the counties of Albany, Saratoga, Renſſelaer and Waſhington, praying that a law may be paſſed prohibiting the uſe of ſet-nets for taking fiſh in Hudſon's river, was read and referred to Mr. Comſtock, Mr. P. P. Schuyler and Mr. Moſſet.

A petition of Joſhua Merſereau, jun. and others, and a petition of Noah Franklin and others, freeholders and inhabitants of the county of Tioga, praying that part of the ſaid county may be erected into a ſeparate county, was read and committed to a committee of the whole Houſe when on the bill entitled "*An act to erect part of the counties of Tioga and Herkemer into a ſeparate county.*"

Fifteen ſeveral petitions from freeholders and inhabitants of the towns of Freehold, Coxſackie, Catſkill and part of Woodſtock, praying to be erected into a ſeparate county, was read and referred to the Members attending in this Houſe from the county of Columbia.

Mr. Joel Thompſon in behalf of Mr. Wendell from the committee to whom was referred the petition of the Mayor, Aldermen and Commonalty of the city of Albany, reported in favour of the petitioners, and obtained leave to bring in a bill entitled "*An act authorizing the Mayor, Aldermen and Commonalty of the city of Albany to raiſe monies by tax for defraying the expenſe of lighting the lamps, and for the ſupport of a night watch,*" which was read the firſt time and ordered a ſecond reading.

Mr. Burr from the ſelect committee to whom was referred the bill entitled "*An act for the relief of certain perſons belonging to a ſettlement of Friends on the weſt ſide of the Seneca Lake,*" reported, that from the papers ſubmitted to them, it appears that the object of the ſaid bill is to determine a private controverſy without the intervention of the eſtabliſhed courts of juſtice, contrary to the ordinary modes of procedure, and againſt the wiſh and remonſtrance of one of the parties. That in the opinion of the committee the party complaining may obtain in the uſual courſe of law all the relief to which they may be entitled, that the interpoſition of the Legiſlature would be improper, and that the ſaid bill ought not to paſs, which report was agreed to by the Houſe: thereupon,

Reſolved, That the ſaid bill be and it is hereby rejected.

Mr. Mitchell purſuant to notice by him for that purpoſe heretofore given, moved for and obtained leave to bring in a bill entitled "*An act repealing an act entitled "An act for granting and ſecuring to John Fitch the ſole right and advantage of making and employing the ſteam-boat by him lately invented,*" which was read the firſt time and ordered a ſecond reading.

A meſſage from the Hon. the Senate, delivered by Mr. Van Schoonhoven and Mr. White, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "*An act to amend an act entitled "An act to ſettle diſputes concerning the titles to lands in the county of Onondaga,*" to which they requeſt the concurrence of this Houſe. The ſaid bill was read the firſt time and ordered a ſecond reading.

A copy of a reſolution of the Hon. the Senate, alſo delivered by Mr. Van Schoonhoven and Mr. White, was read, that the Senate do concur with this Houſe in their reſolution as entered on the journals of yeſterday, relative to the appointment of a joint committee to enquire and report whether any, and if any, what proviſion, reward, gratuity or compenſation be proper to be made to the Hon. Robert Yates, who is about to go out of office, and the Hon. John Sloſs Hobart, who has recently gone out of office as judges of the Supreme Court of judicature, and that Mr. L'Hommedieu, Mr. Van Vechten and Mr. T. Morris be of the ſaid committee on the part of the Senate.

A meſſage from the Hon. the Council of Reviſion tranſmitted to this Houſe by the Hon. the Senate, was read, that it does not appear improper to the Council that the bill entitled "*An act concerning the charter to the Miniſter, Elders and Deacons of the Reformed Proteſtant Dutch Church in the city of Albany,*" ſhould become a law of this State.

Mr. J. Hogeboom from the committee of the whole Houſe on the bill entitled "*An act providing for the expenſe of the Health-Office in the city of New-York,*" reported progreſs and obtained leave to ſit again.

The Attorney-General to whom was referred the petition of Marinus Willett, reported:

The petitioner claims a gratuity of bounty lands, as Colonel Commandant of certain troops, directed to be raiſed on a bounty of unappropriated lands, in and by two ſeveral laws, the one entitled "An act for raiſing two regiments for the defence of this State on bounties of unappropriated lands," paſſed 20th March, 1781; the

other for "raiſing troops to complete the line of this State in the ſervice of the United States," and the two regiments to be raiſed on the bounties of unappropriated lands, and for the further defence of the frontiers of this State, paſſed 23d March, 1782.

The petitioner claims a grant of lands; firſt, by virtue of certain ſtipulations in the ſaid acts; ſecondly, becauſe officers in the ſame ſituation with himſelf have been remunerated in this manner.

As to the firſt ground of his application, it is ſufficient to remark, that the bounty of lands promiſed by the abovementioned laws, is *expreſsly* confined to officers, who ſhall be *commiſſioned* agreeably to the directions of the ſaid acts, and that the petitioner never was ſo *commiſſioned*, of conſequence his claim on this principle is not well founded.

The inſtances of a partial proviſion, enumerated by the petitioner, are to Major Elias Van Bunſchoten, Captains Jonathan Pearſee, Peter B. Tearce and Jellis A. Fonda, Lieutenants Witter Johnſon, Aldert Rooſa and Abraham Ten Eyck. This ſtatement is incorrect, for by the minutes of the Council of Appointment of the 27th of June, 1783, it appears that Elias Van Bunſchoten, Jonathan Pearſee, Peter B. Tearce and Abraham Ten Eyck, were *commiſſioned* in virtue of the abovementioned acts, and thereby they became *legally* entitled to the gratuity in land, promiſed by the ſame.

In the caſes of Jellis A. Fonda and Aldert Rooſa, the ſtatement is accurate. Grants of land were directed to be made to them in and by an act of the Legiſlature paſſed the 20th February, 1793; they are deſcribed in the ſaid act, the one as a Captain, the other as a Lieutenant in Col. Willett's regiment of State troops.

Having thus noticed the circumſtances alluded to in the petition, the Attorney-General conceives it his duty to preſent, to the Hon. the Houſe of Aſſembly, the reſult of his reſearches, on the inveſtigation of the claim of the petitioner. By ſeveral acts of the Legiſlature, paſſed 11th March, 1780, the 10th March, 1781, and the 17th November, 1781, certain troops were directed to be raiſed for the defence of the frontiers of this State. Theſe troops were uſually denominated *Levies*, and were not raiſed or formed upon the bounty of lands, but rather by way of requiſition from the militia of this State. By various Legiſlative acts the petitioner is deſignated, as the commander of the *regiment of levies*, and in objections of the Hon. the Council of Reviſion to a bill entitled "An act for the relief of Matthew Trotter," appearing in the Journals of the Aſſembly of the 21ſt February, 1794, the corps organized and commanded by Major Elias Van Bunſchoten, in purſuance of the acts firſt abovementioned, is ſtated to have been annexed to the ſaid *regiment of levies*. The inference is therefore ſtrong, that the petitioner never enjoyed the *command* of the ſaid corps, in *ſuch manner* as to authorize a claim of bounty lands upon any principle contemplated by the acts of the 20th March, 1781, and the 23d March, 1782. This inference is enforced by the minutes of the Council of Appointment before referred to; a copy whereof is ſubmitted herewith.

In juſtice to the petitioner it ought to be remarked, that Jellis A. Fonda and Aldert Rooſa were officers in the regiment of levies, and under his command, and in this reſpect his claim was equal, if not ſuperior, to the claims of Capt. Fonda and Aldert Rooſa; if their caſes though are to form a precedent obligatory on future Legiſlatures, it cannot eſcape obſervation, that it ought to extend as well to all the officers as to the ſoldiers, conſtituting the regiment of levies; and that if this principle is adopted, a general law, including all ſuch caſes, will beſt correſpond with the liberal intentions of the Legiſlature.

The application of the petitioner muſt be conſidered as addreſſed to the bounty of the Legiſlature, and in this view of the ſubject all information relative to his perſonal merit and the paſt acknowledgments of his country, for the ſervices he has rendered, cannot, it is preſumed, be deemed improper or irrevelant. The Attorney-General therefore ſuggeſts that in virtue of concurrent reſolutions of the Senate and Aſſembly of the 27th and 28th March, 1783, the petitioner, as an officer deranged by an act of Congreſs, ſubſequent to the 16th day of September, 1776, hath received a grant from this State of three thouſand acres of land, being the proportion appropriated to perſons holding the rank of Colonel; five hundred acres, part of this

land, is to be conſidered as a gratuity from the United States. The Attorney-General can diſcover no inſtance wherein an officer or ſoldier, who ſerved during the late war, has been rewarded in a double capacity.

The Attorney-General has thus afforded as accurate information as in his power, of all the circumſtances connected with the claim of the petitioner: His ſervices and exertions in the cauſe of his country, during the late conteſt for the eſtabliſhment of its liberty and independence, are well known, and deſervedly have gained him the approbation of his fellow citizens. Conſiderations like theſe, doubtleſs, will have their proper effect in deciding on his claim: And whether a further remuneration is due to him for thoſe ſervices, muſt be ſubmitted to the diſcretion and wiſdom of the Legiſlature.

All which is reſpectfully ſubmitted.

JOSIAH OGDEN HOFFMAN.

February 2d, 1798.

Ordered, That the conſideration of the ſaid report be poſtponed.

Mr. Maſon from the committee of the whole Houſe on the bill entitled "*An act concerning manumiſſions of ſlaves heretofore made by the people commonly called Quakers,*" reported, that the committee had gone through the bill, made amendments and added a clauſe, which he was directed to report to the Houſe, and he read the report in his place and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the ſaid bill be engroſſed.

Reſolved, That the Comptroller be directed to report to this Houſe a ſtatement of the expenditures referred to in the bill entitled "*An act providing for the expenſe of the Health-Office in the city of New-York,*" committed to a committee of the whole Houſe.

Mr. Williamſon from the committee appointed to take into conſideration that part of his Excellency the Governor's ſpeech relative to uſury, reported a bill entitled "*An act more effectually to prevent the odious and pernicious practice of uſury,*" which was read the firſt time and ordered a ſecond reading.

Mr. Savage from the committee of the whole Houſe on the bill entitled "*An act relative to the Records of the town of Brooklyn in King's county,*" reported, that the committee had gone through the bill without amendment, which he was directed to report to the houſe, and he read the report in his place and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

Then the Houſe adjourned until eleven o'clock to-morrow morning.

Saturday, eleven o'clock, A. M. February 3d, 1798.

The engroſſed bill entitled "*An act for the relief of the purchaſers of certain lands in the fourth allotment of the Royal Grant,*" was read the third time.

Reſolved, That the bill do paſs.

The engroſſed bill entitled "*An act relative to the records of the town of Brooklyn, in King's county,*" was read the third time.

Reſolved, That the bill do paſs.

The engroſſed bill entitled "*An act concerning manumiſſions of ſlaves, heretofore made by the people commonly called Quakers and others,*" was read the third time.

Mr. Speaker put the queſtion, whether the bill ſhould paſs, and it was carried in the affirmative in the manner following, viz.

For the Affirmative.

Mr. Adams,	Mr. Clark,	Mr. M'Neal,	Mr. T. Smith,
Mr. Arcularius,	Mr. Clinton,	Mr. Micheau,	Mr. Storm,
Mr. Baldwin,	Mr. Coe,	Mr. Miller,	Mr. Teed,
Mr. J. Barker,	Mr. Comſtock,	Mr. Mitchell,	Mr. Jeſſe Thompſon,
Mr. W. Barker,	Mr. Cornwell,	Mr. Potter,	Mr. Iſrael Thompſon,
Mr. Boyd,	Mr. Fonda,	Mr. Pride,	Mr. Towner,
Mr. Brown,	Mr. Halſey,	Mr. Reeve,	Mr. Verplank,
Mr. Burr,	Mr. Hoag,	Mr. Robins,	Mr. Warner,
Mr. Burling,	Mr. Jenkins,	Mr. Savage,	Mr. Weſt,
Mr. Burt,	Mr. Maſon,	Mr. P. P. Schuyler,	Mr. Wheeler,
Mr. Campbell,	Mr. M'Farlan,	Mr. A. Smith,	Mr. Wood. 45
Mr. Carman,			

For the Negative.

Mr. Benton,	Mr. Foot,	Mr. Kane,	Mr. J. Smith,
Mr. Bird,	Mr. Fort,	Mr. Lee,	Mr. N. Smith,
Mr. Bevier,	Mr. Gettman,	Mr. M'Cord,	Mr. Snell,
Mr. Bowen,	Mr. J. Hogeboom,	Mr. Metcalfe,	Mr. Ten Broeck,
Mr. Bowman,	Mr. K. Hogeboom,	Mr. Morſe,	Mr. Thomas,
Mr. Bruyn,	Mr. Holt,	Mr. Pearſall,	Mr. Tyler,
Mr. Coryell,	Mr. Horton,	Mr. Roſs,	Mr. Vandervoort,
Mr. J. A. De Witt,	Mr. Howard,	Mr. Skidmore,	Mr. Voſburgh,
Mr. Dewey,			

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Thereupon, *Reſolved*, That the bill do paſs.

Ordered, That Mr. Hovey and Mr. Howard deliver the three laſt mentioned bills to the Hon. the Senate and requeſt their concurrence.

The engroſſed bill entitled "*An act to amend an act entitled "An act to regulate high-ways,*" was read the third time and recommitted to a committee of the whole Houſe.

The bill entitled "*An act to amend an act entitled "An act to ſettle diſputes concerning the titles to lands in the county of Onondaga,*" the bill entitled "*An act authorizing the Mayor, Aldermen and Commonalty of the city of Albany to raiſe monies by tax for defraying the expenſe of lighting the lamps and for the ſupport of a night watch,*" the bill entitled "*An act to repeal the act entitled "An act for granting and ſecuring to John Fitch the ſole right and advantage of making and employing the ſteam-boat by him lately invented,*" and the bill entitled "*An act more effectually to prevent the odious and pernicious practice of uſury,*" were ſeverally read the ſecond time and committed to a committee of the whole Houſe.

A petition of William Cockburn, relative to a claſs-right for two hundred acres of land, was read and referred to the Surveyor-General.

A petition of Douw Fonda, and a petition of James Cochran, ſeverally praying compenſation for certain lands improperly ſold by the commiſſioners of forfeitures, were read and referred to Mr. J. A. De Witt, Mr. Micheau and Mr. Tyler.

A petition of Anthony Bartow, adminiſtrator, and Charity Wright, adminiſtratrix of the eſtate of John G. Wright, deceaſed, praying a grant of bounty lands for the ſervices of the ſaid John G. Wright as a ſurgeon's mate during the late war; a petition of Walter Vrooman Wimple, praying a grant of bounty lands for his ſervices as a ſenior ſurgeon in the general hoſpital in the northern department; a petition of Thomas Lenington, praying a grant of bounty lands for his ſervices during the late war, and the petition of Adiel Sherwood, praying a grant of bounty lands for his ſervices as an officer in the late American army, were ſeverally read and referred to Mr. Bird, Mr. Fonda and Mr. Bevier.

A petition of Peter Cottle and others freeholders and inhabitants reſiding on and near the highway leading from Maſſachuſetts by Lebanon ſprings to the city of Albany, praying that an act may paſs inſtituting a turnpike corporation for the purpoſe of making and keeping ſaid highway in repair, was read and referred to Mr. Jenkins, Mr. Weſt and Mr. Bird.

A petition of John Daniel Shavor and Peter Waggoner, and a petition of Iſaac Titford, ſeverally praying to be enabled to purchaſe and hold real eſtates within this State, were read and committed to a committee of the whole Houſe when on the bill entitled "*An act to enable certain perſons therein named to purchaſe and hold real eſtates within this State.*"

The Attorney-General to whom was referred the petition of Catharine Curtenius and Peter Curtenius, reported:

That the petition ſtates that Philip Curtenius, the ſon of the ſaid Catharine Curtenius, and the brother of the ſaid Peter Curtenius, hath lately become a lunatic; and that Catharine Curtenius, one of the petitioners, has been legally appointed the committee of his perſon.

It is alſo ſtated that the ſaid Philip Curtenius is the proprietor of a very conſiderable real eſtate acquired by him, partly by purchaſe and partly by deſcent: That previous to his lunacy, ſeveral contracts relative to the ſale and diſpoſition of his property, remained unexecuted by him, and that certain propoſed partitions of ſuch parts of his real eſtate as was held in common and undivided, by reaſon of his inſanity,

were not completed: That the ſaid contracts and partitions, if carried into effect, would prove very beneficial to the property of the ſaid Philip Curtenius, and greatly enhance the value of the ſame.

The petitioners pray, that under the direction of the Court of Chancery, they may be authorized to carry into effect the beneficial agreements heretofore executed by Philip Curtenius, and may alſo be empowered to complete his agreement for the partition of his real eſtate, held in common by him.

The object of the petitioners appears to be reaſonable, and the circumſtances of this caſe are very particular, and in as much as it will tend to the improvement of the eſtate of the lunatic, the Attorney-General is of opinion, that a law may be paſſed authorizing the Chancellor to make ſuch order in the premiſes, as in his judgment may be beneficial to the lunatic.

This power may, with ſafety, be veſted in the Court of Chancery, which it is to be preſumed, will have a due regard, as well to the comfortable ſubſiſtance of the ſaid lunatic, as in caſe of his recovery, to the eventual benefit and improvement of his eſtate.

All which is reſpectfully ſubmitted.

JOSIAH OGDEN HOFFMAN.

February 3d, 1798.

Reſolved, That the Houſe do approve of the report of the Attorney-General.

Ordered, That Mr. Storm, Mr. Burling and Mr. K. Hogeboom, be a committee to prepare a bill accordingly.

Mr. Burr, in behalf of Mr. Hatfield, from the committee to whom was referred the petition of Chriſtopher Roff, reported, that in their opinion the prayer of the petitioner ought not to be granted, which report was agreed to by the Houſe.

Mr. Burr, in behalf of Mr. Hatfield, from the committee to whom was referred the ſeveral petitions of Brockholſt Livingſton, David Wandle, John M'Dougall and Cornelius Eckerſon, reported, that the facts ſet forth in the ſaid ſeveral petitions are ſupported to the ſatisfaction of the committee; that in their opinion the petitioners are entitled to relief; that the committee had prepared a bill for that purpoſe, and directed him to move for leave to bring in the ſame; leave being given accordingly, Mr. Burr brought in the ſaid bill, entitled "*An act for the relief of Brockholſt Livingſton and others*," which was read the firſt time and ordered a ſecond reading.

Mr. Bird, from the committee to whom was referred the ſeveral petitions of the freeholders and inhabitants of the town of Schenectady, and of the truſtees of ſaid town, reported in favor of the petitioners, and obtained leave to bring in a bill entitled "*An act to incorporate the inhabitants of that part of the patent of Schenectady therein mentioned*," which was read the firſt time and ordered a ſecond reading.

Mr. Burr from the committee to whom was referred the petition of Peter Bodin and others, reported, that it appears to the committee that the petitioners have been for ſome years previous to the war, and to the preſent time, in the poſſeſſion of the lands deſcribed in the ſaid petition. That there is reaſon to believe that the title to thoſe lands was veſted in David Matthews prior to the time of his attainder. That there are various claimants to the ſaid lands under titles derived or pretended to be derived from the heirs of Edward Gatehouſe, which it is not in the power of your committee to inveſtigate or ſet forth. That the committee have not been informed that any perſon pretending to be an heir of the ſaid Edward Gatehouſe, hath been at any time a citizen of this State. That hence there is in the opinion of the committee reaſon to preſume that the aforeſaid lands have either by the attainder of the ſaid David Matthews, or by eſcheat, been veſted in this State. That the petitioners are honeſt, induſtrious citizens, and apparently deſirous of obtaining a title to the ſaid lands on making payment therefor: thereupon,

Reſolved, That the Attorney-General be directed to enquire into the title of the people of this State to the lands granted to Edward Gatehouſe by letters patent, dated

Mr. Wood, from the committee appointed to confer with a committee on the part of the Hon. the Senate, relative to the treaſury of this State, reported a bill entitled "*An act making a temporary diſpoſition of the property now in the treaſury of this State*," which was read the firſt time and ordered a ſecond reading. By unanimous conſent

the ſaid bill was read the ſecond time, and committed to a committee of the whole Houſe.

Then the Houſe reſolved itſelf into a committee of the whole Houſe, on the ſaid bill, and after ſome time ſpent thereon, Mr. Speaker reſumed the chair, and Mr. Brown, from the ſaid committee, reported, that the committee had gone through the bill without amendment, which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where the ſame was again read and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

The engroſſed bill entitled "*An act making a temporary diſpoſition of the property now in the treaſury of this State,*" was read the third time.

Reſolved, That the bill do paſs.

Ordered, That Mr. Hovey and Mr. Howard deliver the bill to the Hon. the Senate and requeſt their concurrence.

A meſſage from the Hon. the Senate, by Mr. White and Mr. Addiſon, was received, with the bill entitled "*An act authorizing the uſe of paper inſtead of parchment, in certain legal proceedings,*" together with the objections of the Hon. the Council of Reviſion to the ſaid bill becoming a law of this State; and alſo a reſolution that the ſaid bill (notwithſtanding the objections of the Hon. the Council of Reviſion to the ſame) be a law of this State.

Ordered, That the conſideration of the ſaid objections be poſtponed.

Then the Houſe adjourned until eleven o'clock on Monday morning next.

Monday, eleven o'clock, A. M. February 5th, 1798.

The bill entitled "*An act to incorporate that part of the patent of Schenectady therein mentioned,*" and the bill entitled "*An act for the relief of Brockholſt Livingſton and others,*" were ſeverally read the ſecond time and committed to a committee of the whole Houſe.

A petition of Gideon Allen and others, praying to be exempted from the payment of intereſt for money loaned to them by the State, was read and ordered to lay on the table.

A petition of Iſaac Borhans, praying a grant of bounty lands for his ſervices as a ſoldier in Col. Hazen's regiment durin[illegible] late war, was read, and referred to Mr. Bird, Mr. Fonda and Mr. Bevier.

A petition of James S. Kip and others, inhabitants of the village known by the name of Old Fort Schuyler, in the county or Herkemer, praying to be incorporated by the name of Utica, was read, and referred to Mr. Wheeler, Mr. Potter and Mr. Hunt.

A petition of William Dennis and others, and a petition of Ebenezer Foot and others, inhabitants of the county of Delaware, praying the erection of two new towns, were ſeverally read and referred to Mr. Coryell, Mr. Horton and Mr. Teed.

A petition of the overſeers of the poor of the town of Kortright, praying an amendment in the law for the ſettlement and relief of the poor, was read and referred to the committee for grievances.

A petition of John Given, ſheriff of the city and county of Albany, relative to the reimburſement of certain expenſes by him incurred in apprehending criminals who eſcaped from the gaol of the ſaid city and county, and relative alſo to the law for prohibiting the uſe of ſpirituous liquors in the goals of New-York and Albany, paſſed the 21ſt March, 1791, was read and referred to Mr. Metcalfe, Mr. W. Barker and Mr. Bowman.

A petition and memorial of John Broome and upwards of 1,800 other inhabitants of the city and county of New-York, praying a reviſion of the laws for the ſuppreſſion of vice and immorality, and to prevent the profanation of the Sabbath, was read and committed to a committee of the whole Houſe when on the bill entitled "*An act to prevent the profanation of the Sabbath.*"

The Comptroller, in purſuance of the reſolution of this Houſe, reported a ſtatement of the expenditures referred to in the bill entitled "*An act providing for the expenſe of the Health-Office in the city of New-York.*"

Ordered, That the ſaid report be committed to a committee of the whole Houſe when on the ſaid bill.

The Houſe proceeded to the conſideration of the objections of the Hon. the Council of Reviſion to the bill entitled "*An act authorizing the uſe of paper inſtead of parchment in certain legal proceedings.*" The ſaid objections were read and are in the words following, viz.

In Council of Reviſion, February 2d, 1798.

The Council object to the bill entitled "*An act authorizing the uſe of paper inſtead of parchment, in certain legal proceedings,*" as improper to become a law of this State.

1ſt. Becauſe a practice, ſanctioned by the uſage of ages, furniſhes ſuch a preſumption in its favor as to render any change improper, except on the moſt obvious utility; and it does not appear that any advantage to the public will reſult or is expected from the change in queſtion.

2dly. Becauſe unleſs parchment ſhould, contrary to long and general opinion and experience, be deemed a more proper material for records than paper; the change on that principle cannot be neceſſary, and the expediency of it is rendered, at leaſt, very doubtful by the conſideration that parchment to a conſiderable and increaſing amount is manufactured in the country, and value thereby given to a raw material otherwiſe of little worth.

JOHN JAY.

Mr. Speaker put the queſtion whether the ſaid bill notwithſtanding the objections of the Hon. the Council of Reviſion to the ſame, ſhould become a law of this State, and it was carried in the affirmative by a majority of more than two-thirds of the Houſe: thereupon,

Reſolved, That the ſaid bill notwithſtanding the objections of the Hon. the Council of Reviſion to the ſame, become a law of this State.

Ordered, That Mr. Hovey and Mr. Howard deliver a copy of the preceding reſolution to the Hon. the Senate.

Mr. Denning from the joint committee of both houſes to whom was referred the meſſage of his Excellency the Governor accompanying the report of the commiſſioners for building the State Priſon in the city of New-York, and to whom was alſo referred the report of the Inſpectors of the State Priſon, reported, that the commiſſioners require the ſum of 71,346 dollars on the following eſtimate:

			Dolls.
For debts now due by the commiſſioners			8,546
For ſo much borrowed by them on their private credit			5,000
Do. wanting to complete the preſent building			5,000
To complete the plan, viz.			
A ſtone wall 18 feet high to ſurround the premiſes		20,000	
Solitary cells		20,300	
Work-ſhops		12,500	
			52,800
	Dolls.		71,346

That the Inſpectors require, viz.

For the ſupport of the priſoners for one year		8,000
To purchaſe articles for manufacturing, with the tools and implements		12,000
	Dolls.	20,000

And the ſaid Inſpectors having ſuggeſted ſome neceſſary modifications to the act for erecting State Priſons, the committee have prepared a bill conformable thereto, and aſk for leave to bring in the ſame; leave being given accordingly, Mr. Denning brought in the ſaid bill, entitled "*An act to amend the act making alterations in the criminal law of this State, and for erecting State Priſons,*" which was read the firſt time and ordered a ſecond reading.

Mr. Denning, from the committee to whom was referred the petition of Stewart and Jones and others, reported in favor of the petitioners, and obtained leave to bring in a bill entitled "*An act authorizing the arreſt of ſhips and veſſels for debts contracted by the maſter, owner and conſignee, for and on account of ſuch ſhips and veſſels in the port of New-York,*" which was read the firſt time and ordered a ſecond reading.

Mr. Brown, purſuant to notice by him for that purpoſe heretofore given, moved for and obtained leave to bring in a bill entitled "*An act for opening the navigation between Lake Erie and Lake Ontario,*" which was read the firſt time and ordered a ſecond reading.

Mr. Storm, from the committee appointed for that purpoſe, brought in a bill entitled "*An act for the relief of Philip Curtenius, a lunatic,*" which was read the firſt time and ordered a ſecond reading.

Mr. J. Hogeboom, from the committee of the whole Houſe, on the bill entitled "*An act providing for the expenſe of the health office in the city of New-York,*" reported progreſs, and obtained leave to ſit again.

Ordered, That the committee of the whole Houſe be diſcharged from the further conſideration of the bill entitled "*An act to erect part of the counties of Tioga and Herkemer into a ſeparate county,*" and that the ſame be committed to the committee who brought in the ſaid bill.

Mr. Maſon, from the committee of the whole Houſe, on the bill entitled "*An act altering the time of holding the election of city officers for the city of Hudſon,*" reported, that the committee had gone through the bill without amendment, which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

The Houſe proceeded to the conſideration of the report of the Attorney-General, on the petition of Marinus Willett; thereupon,

Ordered, That the ſaid report, together with the ſaid petition and vouchers accompanying the ſame, be referred to a ſelect committee, conſiſting of Mr. Maſon, Mr. Clinton and Mr. Wood.

Ordered, That the bill entitled "*An act concerning Quit Rents,*" be the order of the day for to-morrow.

Then the Houſe adjourned until ten o'clock to-morrow morning.

Tueſday, ten o'clock, A. M. February 6th, 1798.

The engroſſed bill entitled "*An act altering the time of holding the election of city officers for the city of Hudſon,*" was read the third time.

Reſolved, That the bill do paſs.

Ordered, That Mr. Howard and Mr. Hunt deliver the bill to the Hon. the Senate and requeſt their concurrence.

The bill entitled "*An act for the relief of Philip Curtenius, a lunatic,*" the bill entitled "*An act authorizing the arreſt of ſhips and veſſels for debts contracted by the maſter, owner or conſignee, for and on account of ſuch ſhips and veſſels in the port of New-York,*" the bill entitled "*An act to amend the act making alterations in the criminal law of this State, and for erecting State Priſons,*" and the bill entitled "*An act for opening the navigation between Lake Erie and Lake Ontario,*" were ſeverally read, and committed to a committee of the whole Houſe.

A petition of Stephen White and others, inhabitants of the county of Herkemer, praying a grant of money for the purpoſe of repairing the road from the town of Rome to Canada Creek, was read, and referred to the joint committee appointed to enquire into and report the ſtate of the lottery for opening and improving certain great roads within this State.

A petition of Anthony Bartow and Robert S. Bartow, executors of the laſt will and teſtament of Anthony Bartow, deceaſed, praying compenſation for a number of black cattle furniſhed by the ſaid Anthony Bartow for the uſe of the late continental army, together with the voucher accompanying the ſame, was read and referred to the Comptroller to report thereon.

A petition of John Hunt, praying a grant of lot No. 82, in the townſhip of Cincinnatus, was read and referred to Mr. Savage, Mr. Wood and Mr. Hall.

The Surveyor-General, to whom was referred the petition of William Cockburn, reported, that if the documents accompanying the petition had been preſented while the laws authorizing locations were in force, the petitioner would have had a right to locate two hundred acres of the unappropriated lands.

SIMEON DE WITT, *Surveyor-General.*

February 5th, 1798.

Ordered, That the ſaid report and petition be referred to Mr. Benton, Mr. J. C. De Witt and Mr. Holly.

Mr. Foot purſuant to notice by him for that purpoſe heretofore given moved for and obtained leave to bring in a bill entitled "*An act more effectually to provide for the improvement of roads and bridges in certain counties therein mentioned,*" which was read the firſt time and ordered a ſecond reading.

Mr. Halſey, from the committee to whom were referred the petitions of John Miller and others, and John A. Thompſon and others, reported in favor of the petitioners, and obtained leave to bring in a bill entitled "*An act for dividing certain towns in the county of Onondaga,*" which was read the firſt time and ordered a ſecond reading.

Mr. Denning, from the committee to whom was referred the petition of Catharine Weſterlo and others, together with the report of the Surveyor-General thereon, reported in favor of the petitioners, and obtained leave to bring in a bill entitled "*An act for the relief of Catharine Weſterlo and others,*" which was read the firſt time and ordered a ſecond reading.

A meſſage from the Hon. the Senate, delivered by Mr. Addiſon and Mr. Arndt, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "*An act more effectually to diſcover and apprehend offenders in the city of New-York,*" to which they requeſt the concurrence of this Houſe; the ſaid bill was read the firſt time and ordered a ſecond reading.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Addiſon and Mr. Arndt, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "*An act to prevent unneceſſary public proſecutions when the parties injured have remedy by civil action,*" with the amendments therewith delivered.

Ordered, That the conſideration of the ſaid amendments be poſtponed.

Mr. Jenkins, from the committee of the whole Houſe, on the bill entitled "*An act concerning Quit Rents,*" reported, that in proceeding in the ſaid bill, Mr. Savage made a motion that the committee ſhould agree to add a proviſo at the end of the ſecond enacting clauſe, which was read, and is in the words following, viz.

Provided that no perſon, being the owner or actual poſſeſſor of any divided part of any ſuch patent not exceeding hundred acres, ſhall be chargeable with ſuch quit rent at all, but ſhall be and hereby is diſcharged.

That debates were had thereon, and the queſtion being put, whether the committee did agree to the proviſo propoſed by the motion of Mr. Savage, it paſſed in the negative in the manner following, viz.

For the Negative.

Mr. Adams,	Mr. Clift,	Mr. Holt,	Mr. P. P. Schuyler,
Mr. Arcularius,	Mr. Coe,	Mr. Howard,	Mr. A. Smith,
Mr. Baldwin,	Mr. Comſtock,	Mr. Hunt,	Mr. J. Smith,
Mr. J. Barker,	Mr. Cornwell,	Mr. Lee,	Mr. Snell,
Mr. T. Barker,	Mr. De la Montagnie,	Mr. M'Cord,	Mr. Storm,
Mr. W. Barker,	Mr. Denning,	Mr. M'Farlan,	Mr. Speaker,
Mr. Bevier,	Mr. J. A. De Witt,	Mr. M'Neal,	Mr. Teed,
Mr. Bowman,	Mr. J. C. De Witt,	Mr. Metcalfe,	Mr. Ten Broeck,
Mr. Boyd,	Mr. Gettman,	Mr. Micheau,	Mr. Thomas,
Mr. Brown,	Mr. Gray,	Mr. Miller,	Mr. Joel Thompſon,
Mr. Bruyn,	Mr. Gregory,	Mr. Mitchell,	Mr. Towner,
Mr. Burr,	Mr. Halſey,	Mr. Moffet,	Mr. Vandervoort,
Mr. Burling,	Mr. Hatfield,	Mr. Ogden,	Mr. Verplank,
Mr. Burt,	Mr. Heermance,	Mr. Pearſall,	Mr. Warner,
Mr. Campbell,	Mr. Hoag,	Mr. Potter,	Mr. Weſt,
Mr. Carman,	Mr. J. Hogeboom,	Mr. Reeve,	Mr. Wood. 67
Mr. Clark,	Mr. K. Hogeboom,	Mr. Robins,	

For the Affirmative.

Mr. Benton,	Mr. Fort,	Mr. Morſe,	Mr. N. Smith,
Mr. Clinton,	Mr. Griſwold,	Mr. Pride,	Mr. Jeſſe Thompſon,
Mr. Coryell,	Mr. Hall,	Mr. Rice,	Mr. Iſrael Thompſon,
Mr. Deitz,	Mr. Horton,	Mr. Roſs,	Mr. Van Alſtyne,
Mr. Dewey,	Mr. Kane,	Mr. Savage,	Mr. Wendell,
Mr. Foot,	Mr. Maſon,	Mr. T. Smith,	Mr. Wheeler. 24

That Mr. Maſon then made a motion, that the committee ſhould agree to add a proviſo at the end of the ſaid ſecond enacting clauſe, which was read, and is in the words following, viz.

Provided always, that nothing in this act contained, ſhall be conſtrued to charge the proprietors and actual poſſeſſors of farms of acres and under, with the payment of future quit rents, but that upon the diſcharge of their quit rents due, within after the paſſing of this act, ſuch proprietors and actual poſſeſſors ſhall be and hereby are freed, exonerated and diſcharged from all future quit rents.

That debates were had thereon, and the queſtion being put, whether the committee did agree to the ſaid proviſo propoſed by the motion of Mr. Maſon, it paſſed in the negative in the manner following, viz.

For the Negative.

Mr. Adams,	Mr. Coe,	Mr. Hunt,	Mr. Skidmore,
Mr. Arcularius,	Mr. Comſtock,	Mr. Lee,	Mr. A. Smith,
Mr. Baldwin,	Mr. Cornwell,	Mr. M'Cord,	Mr. J. Smith,
Mr. T. Barker,	Mr. De la Montagnie,	Mr. M'Farlan,	Mr. Storm,
Mr. W. Barker,	Mr. Denning,	Mr. Metcalfe,	Mr. Teed,
Mr. Bevier,	Mr. J. A. De Witt,	Mr. Micheau,	Mr. Thomas,
Mr. Bowman,	Mr. J. C. De Witt,	Mr. Miller,	Mr. Joel Thompſon,
Mr. Boyd,	Mr. Gray,	Mr. Mitchell,	Mr. Towner,
Mr. Brown,	Mr. Gregory,	Mr. Moffet,	Mr. Vandervoort,
Mr. Bruyn,	Mr. Halſey,	Mr. Ogden,	Mr. Verplank,
Mr. Burr,	Mr. Hatfield,	Mr. Pearſall,	Mr. Voſburgh,
Mr. Burling,	Mr. Heermance,	Mr. Potter,	Mr. Warner,
Mr. Burt,	Mr. Hoag,	Mr. Robins,	Mr. Wendell,
Mr. Campbell,	Mr. J. Hogeboom,	Mr. P. P. Schuyler,	Mr. Wood. 57
Mr. Carman,			

For the Affirmative.

Mr. J. Barker,	Mr. Fort,	Mr. Morſe,	Mr. Snell,
Mr. Benton,	Mr. Gettman,	Mr. Pride,	Mr. Ten Broeck,
Mr. Clifft,	Mr. Hall,	Mr. Rice,	Mr. Jeſſe Thompſon,
Mr. Clinton,	Mr. K. Hogeboom,	Mr. Roſs,	Mr. Iſrael Thompſon,
Mr. Coryell,	Mr. Horton,	Mr. Savage,	Mr. Van Alſtyne,
Mr. Dewey,	Mr. Kane,	Mr. T. Smith,	Mr. Weſt,
Mr. Fonda,	Mr. Maſon,	Mr. N. Smith,	Mr. Wheeler. 30
Mr. Foot,	Mr. M'Neal,		

Mr. Jenkins further reported, that the committee had gone through the bill and made amendments, which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the amendments be engroſſed.

Mr. J. Hogeboom, from the committee of the whole Houſe, on the bill entitled "*An act to provide for the expenſe of the Health-Office in the city of New-York*," reported, that the committee had gone through the bill and made amendments, which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where the ſame was again read and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

Mr. Wood, from the committee of the whole Houſe, on the bill entitled "*An act to enable the Mayor, Recorder and Aldermen of the city of New-York, to order the raſing monies by tax for the maintenance of the poor and for defraying the other contingent expenſes ariſing in the city and county of New-York*," reported, that the committee had gone through the bill without amendment, which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

Ordered, That the bill entitled "*An act to amend an act entitled "An act to regulate buildings within certain limits of the city of Albany*," and the bill entitled "*An act to incorporate the New-York Inſurance Company*," be ſeverally the order of the day on to-morrow.

A meſſage from the Hon. the Senate, delivered by Mr. Arndt and Mr. Cantine, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "*An act making a temporary diſpoſition of the property now in the treaſury of this State,*" without amendment.

Ordered, That Mr. Hunt and Mr. Jenkins deliver the bill to the Hon. the Council of Reviſion.

Then the Houſe adjourned until eleven o'clock to-morrow morning.

Wedneſday, eleven o'clock, A. M. February 7th, 1798.

The bill entitled "*An act more effectually to diſcover and apprehend offenders in the city of New-York,*" the bill entitled "*An act more effectually to provide for the improvement of roads and bridges in certain counties therein mentioned,*" the bill entitled "*An act for the relief of Catharine Weſterlo and others,*" and the bill entitled "*An act for dividing certain towns in the county of Onondaga,*" were ſeverally read and committed to a committee of the whole Houſe.

A petition of Benjamin Palmer, praying compenſation for building a bridge acroſs Haerlem river, in the year 1750, was read and ordered to lie on the table.

A petition of Governeur Morris, relative to compenſation for damages ſuſtained in conſequence of a road laid thaough his land, in the county of Weſtcheſter, was read, and referred to Mr. P. I. Schuyler, Mr. Bowman and Mr. Williamſon.

The Attorney-General, to whom was referred the petition of John B. Coles and others, executors of the laſt will and teſtament of Robert C. Livingſton, deceaſed, reported, that the petition ſtates that the teſtator died ſeized of a large real eſtate, leaving five children, who at the time of his death were and yet are infants. That by his laſt will and teſtament *full, extenſive* and diſcretionary powers are veſted in his executors as to the uſe of his perſonal eſtate, in the improvement of his real eſtate, and as to the ſums neceſſary to the maintenance and education of his children. That the teſtator at the time of making his ſaid will was poſſeſſed of a large perſonal eſtate, but that ſhortly thereafter he purchaſed ſeveral tracts of uncultivated lands in the counties of Tioga and Herkemer, together with many vacant lots in the city of New-York. That the letters patent for the ſaid lands contain the uſual condition of ſettlement, and that from the inability of the executors to comply therewith, they not being authorized to ſell any part of the ſaid lands, it is to be apprehended the ſame may be forfeited to the people of this State.

The petitioners pray that the Legiſlature would authorize them to renew the leaſes of certain lands ſituate in the manor of Livingſton, and acquired by the teſtator by deſcent, ſubſequent to the date of his ſaid laſt will and teſtament; and further that they may be empowered to ſell two hundred acres out of every ſix hundred acres of the ſaid vacant lands, the proceeds thereof to be appropriated to the purpoſes deſignated by the ſaid will.

The laſt will and teſtament of Robert C. Livingſton, ſubmitted to the Attorney-General, correſponds with the ſtatement thereof contained in the petition. From the very particular ſituation of the property of the teſtator, the Attorney-General is of opinion that a Legiſlative interference in the premiſes would be juſtifiable, particularly, as by reaſon of the condition inſerted in the grants of lands to the teſtator, and the impoſſibility agreeably to the import of his laſt will of complying with *three conditions*, the property deviſed to his infant children may become forfeited to the people of this State; an event that could never have been contemplated by the teſtator. A Legiſlative proviſion therefore in favor of the intereſt of the deviſees, by ſecuring them againſt the danger of ſuch forfeiture, would evidently promote the very manifeſt intentions of the teſtator.

All of which is reſpectfully ſubmitted.

JOSIAH OGDEN HOFFMAN.

February 6th, 1798.

Ordered, That the ſaid report together with the papers accompanying the ſame be referred to Mr. Griſwold, Mr. Kane and Mr. Robins.

The Surveyor-General, purſuant to concurrent reſolutions of the Senate and Aſſembly of the 14th March, 1797, referring to him the petition of Clement Saidler, reported, That the commiſſioners of forfeitures of the Weſtern Diſtrict did on the 18th Nov. 1787, as appears by their deed, convey to Robert M. Williams lot No. 19

in the 12th general allotment of Kayadarosseras, deemed to have become forfeited to the people of this State by the attainder of Sir John Johnson, and said in said conveyance, to be estimated at one hundred and forty acres; the consideration being 1000l. That there is reason to believe that no survey was made of the lot previous to the sale thereof as aforesaid, nor is any authentic map to be found such as is referred to in the deed. That in consequence of the said concurrent resolutions, the Surveyor-General has caused the premises to be surveyed according to the claims and possessions of the proprietors of the surrounding lands, and has thus found the contents of the lot to be only $47\frac{1}{2}$ acres. The petitioner deduces his title from the conveyance of the commissioners made as aforesaid.

All which is respectfully submitted.

SIMEON DE WITT, *Surveyor-General.*

February 7th, 1798.

Ordered, That the said report and papers accompanying the same, be committed to Mr. K. Hogeboom, Mr. Pearsall and Mr. T. Smith.

A petition of Lovett Fox and others, inhabitants of the town of Thurman, in the county of Washington, praying a division of said town, was read, and committed to a committee of the whole House, when on the bill entitled "*An act for dividing the town of Thurman.*"

A petition of the Mayor, Aldermen and Commonalty of the city of New-York, praying that the duties to arise in future on sales at auction, in the said city, may be paid into the city treasury, and appropriated by the common council thereof to the discharge of the many and increasing expenses of the city and county of New-York, was read, and referred to Mr. Wood, Mr. Bird and Mr. Verplank.

Mr. P. I. Schuyler, in behalf of Mr. Horton, from the committee to whom was referred the petition of the Supervisors of the county of Delaware, reported in favor of the petitioners, and obtained leave to bring in a bill entitled "*An act to raise a sum of money for building a Court-House and Gaol in the county of Delaware, and for other purposes therein mentioned,*" which was read the first time and ordered a second reading.

Mr. Hovey, from the select committee to whom was referred the bill entitled "*An act to erect part of the counties of Tioga and Herkemer into a separate county,*" reported, that the committee had gone through the bill and made some amendments thereto, which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read: Thereupon,

Ordered, That the said bill be recommitted to a committee of the whole House.

Mr. Brown, pursuant to notice by him for that purpose heretofore given, moved for leave to bring in a bill entitled "*An act for the gradual abolition of slavery;*" Mr. Speaker put the question, whether the House would grant such leave, and it was carried in the affirmative in the manner following, viz.

For the Affirmative.

Mr. Adams,	Mr. De la Montagnie,	Mr. Jenkins,	Mr. A. Smith,	
Mr. Arcularius,	Mr. Dewey,	Mr. Mason,	Mr. T. Smith,	
Mr. Baldwin,	Mr. Foot,	Mr. M'Farlan,	Mr. N. Smith,	
Mr. J. Barker,	Mr. Gregory,	Mr. M'Neal,	Mr. Storm,	
Mr. W. Barker,	Mr. Griswold,	Mr. Metcalfe,	Mr. Teed,	
Mr. Bird,	Mr. Hall,	Mr. Miller,	Mr. Thomas,	
Mr. Bowen,	Mr. Halsey,	Mr. Mitchell,	Mr. Jesse Thompson,	
Mr. Boyd,	Mr. Heermance,	Mr. Moffet,	Mr. Israel Thompson,	
Mr. Brown,	Mr. Hoag,	Mr. Morse,	Mr. Joel Thompson,	
Mr. Burr,	Mr. J. Hogeboom,	Mr. Potter,	Mr. Towner,	
Mr. Burling,	Mr. K. Hogeboom,	Mr. Pride,	Mr. Tyler,	
Mr. Burt,	Mr. Holly,	Mr. Reeve,	Mr. Warner,	
Mr. Clinton,	Mr. Holt,	Mr. Robins,	Mr. Wheeler,	
Mr. Coe,	Mr. Hovey,	Mr. Savage,	Mr. Wood.	39
Mr. Comstock,	Mr. Howard,	Mr. P. I. Schuyler,		

For the Negative.

Mr. T. Barker,	Mr. Coryell,	Mr. M'Cord,	Mr. Ten Broeck,	
Mr. Benton,	Mr. Deitz,	Mr. Micheau,	Mr. Vandervoort,	
Mr. Bevier,	Mr. J. A. De Witt,	Mr. Ogden,	Mr. Van Alstyne,	
Mr. Bowman,	Mr. J. C. De Witt,	Mr. Pearsall,	Mr. Verplank,	
Mr. Campbell,	Mr. Fort,	Mr. Ross,	Mr. Vosburgh,	
Mr. Carman,	Mr. Gettman,	Mr. P. P. Schuyler,	Mr. Wendell,	
Mr. Clark,	Mr. Hatfield,	Mr. Skidmore,	Mr. West,	
Mr. Clift,	Mr. Horton,	Mr. J. Smith,	Mr. Williamson,	35
Mr. Cornwell,	Mr. Lee,	Mr. Snell,		

Thereupon, *Ordered*, That leave be given accordingly.

Mr. Brown, according to leave, brought in the ſaid bill, which was read the firſt time and ordered a ſecond reading.

Mr. Wendell, from the committee to whom was referred the petition of Jacob Bleecker, jun. Harmanus Ten Eyck and others, reported in favor of the petitioners, and obtained leave to bring in a bill entitled "*An act for the relief of the deviſees of John H. Ten Eyck, deceaſed,*" which was read the firſt time and ordered a ſecond reading.

Mr. Williamſon, from the committee of privileges and elections, to whom was referred the petition of Philip Spencer, jun. reported, that from the evidence produced by the ſaid Philip Spencer, jun. claiming a ſeat in this Houſe, it appears that certain votes were canvaſſed by the ſuperviſors of ſaid county, bearing the name of Philip Spencer, and alſo in the name of Philip Spencer, jun. and that there are two perſons of that name, viz. the father and the ſon, who are known by the inhabitants of the county of Dutcheſs, to reſide in it. That the ſuperviſors, by a previous agreement before they proceeded to the canvaſs, canvaſſed the ballots according to the name they ſhould bear on their face. That the ballots with the name of Philip Spencer, and thoſe with the name of Philip Spencer, jun. were canvaſſed ſeparately.

It further appeared from the evidence produced, that there was a majority of votes in favor of Jeſſe Thompſon, the ſitting member, who produced to your committee his certificate of election as a member of this Houſe, ſigned by the ſuperviſors of the county of Dutcheſs. The committee are therefore of opinion that the claim of the ſaid Philip Spencer, jun. is not well ſupported.

Ordered, That the conſideration of the ſaid report be poſtponed until Friday next.

Mr. Savage, purſuant to notice by him for that purpoſe heretofore given, moved for and obtained leave to bring in a bill entitled "*An act to veſt the right of the people of this State to certain lands lying in the county of Waſhington, in John Thurman,*" which was read the firſt time and ordered a ſecond reading.

The Attorney-General, to whom were referred the ſeveral petitions of David Williamſon, George Gray and Margaret Garret, reported:

That the petition ſtates that Charles J. Brannon, late of the city of New-York, grocer, died inteſtate, and poſſeſſed and ſeized of a conſiderable real and perſonal eſtate, and by a ſtatement annexed to the ſaid petition, nearly equal to the ſum of 6000l. that no perſon is now living who can legally inherit or enjoy the ſame; that the real eſtate whereof he died ſeized, has eſcheated to the people of this State, reſerving to his widow, Mary Brannon, her right of dower.

That formerly the ſaid Charles J. Brannon intermarried with Margaret Mullen, ſince deceaſed, and afterwards with Mary Eaſton, who hath ſurvived him, and that he hath left no iſſue by either of theſe marriages. That his firſt wife, Margaret, left a daughter, by a former marriage, to whom David Williamſon, one of the petitioners, was afterwards married, and that George Gray, the other petitioner, married Elizabeth, the daughter by a former marriage of Mary Brannon, the widow of the ſaid Charles J. Brannon; theſe two ſtep-daughters are both deceaſed, each of them leaving two children.

The petition alſo ſtates that the diſſolution of Charles J. Brannon was extremely ſudden, and at a time when he was meditating a diſpoſition of his eſtate favorable to the children of the petitioners, agreeably to his intentions frequently communicated.

It is alſo alledged that the deceaſed always conſidered his two ſtep-daughters, as his own children, and adopted and educated them *as ſuch*, and ever noticed their children as his grand-children, and frequently promiſed to provide for them accordingly. To effectuate this promiſe is the object of the preſent petition. A certificate of reſpectable citizens in New-York, tending to ſupport the truth of the allegations contained in the petition, is annexed to the ſame.

It will readily be perceived that this application as far as relates to the real eſtate whereof Charles J. Brannon died ſeized, is addreſſed to the diſcretion of the Legiſlature, and that any obſervations by the Attorney-General, relative to the exerciſe of *that diſcretion*, would be unneceſſary; it is only proper for him to ſtate that the real eſtate of all perſons dying without heirs, after office found, veſts in the people of this State. In the preſent inſtance no proceedings for this purpoſe have yet been com-

menced, as the facts now communicated were heretofore unknown to the Attorney-General.

As to the perſonal eſtate poſſeſſed by the inteſtate at the time of his death, the Attorney-General is inclined to believe that the ſame legally belongs to his widow, who is his adminiſtratrix, ſubject to the payment of his debts; this queſtion has never yet been decided, and it is ſuſceptible of ſome doubt, for this reaſon every diſpoſition thereof by the Legiſlature would be improper.

The petition of Margaret Garret relates to the ſame ſubject, ſhe ſtates that in conſideration of her ſervices in the family of the ſaid Charles J. Brannon, in the capacity of houſe-keeper, for the ſpace of ten years, with little other compenſation than her maintenance and ſupport, and as an acknowledgment of her fidelity and long employment, he promiſed to bequeath to her five hundred pounds. This ſtatement is alſo corroborated by a certificate ſigned by ſeveral perſons who were intimately acquainted with Charles J. Brannon. On this petition it is only neceſſary to make the additional remark, that if the Legiſlature judge fit to grant the prayer thereof, the payment of the money ought to be charged on the real eſtate of the inteſtate, as the perſonal eſtate in conſtruction of law, *may* be decided to belong to the preſent adminiſtratrix.

All of which is reſpectfully ſubmitted.

JOSIAH OGDEN HOFFMAN.

February 7th, 1798.

Ordered, That the ſaid report, with the papers accompanying the ſame, be referred to Mr. Mitchell, Mr. Carman and Mr. A. Smith.

Reſolved, That Mr. Burr, Mr. Metcalfe and Mr. Comſtock, be a committee to report what alterations and amendments, if any, ought, in their opinion, to be made to the printed rules of this Houſe.

Mr. Benton, from the committee of the whole Houſe, on the bill entitled "*An act to amend an act entitled "An act to regulate buildings in certain limits of the city of Albany,*" reported, that the committee had gone through the bill without amendment, which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

Mr. Storm, from the committee appointed to reviſe the exiſting laws reſpecting nuiſances in the city of New-York, and for preventing the introduction of infectious diſeaſes into this State, reported, that the committee have prepared a general bill on the ſubject, which he was directed to move for leave to bring in; leave being given, Mr. Storm brought in the ſaid bill, entitled "*An act to provide againſt the origin and introduction of peſtilential and infectious diſeaſes into this State,*" which was read the firſt time and ordered a ſecond reading.

Mr. Brown, from the committee of the whole Houſe, on the bill entitled "*An act to incorporate the New-York Inſurance Company,*" reported progreſs, and obtained leave to ſit again.

Then the Houſe adjourned until eleven o'clock to-morrow morning.

Thurſday, eleven o'clock, A. M. February 8th, 1798.

The engroſſed bill entitled "*An act providing for the expenſe of the Health-Office in the city of New-York,*" was read the third time.

Reſolved, That the bill do paſs.

Ordered, That Mr. Hunt and Mr. Jenkins deliver the bill to the Hon. the Senate, and requeſt their concurrence.

The bill entitled "*An act concerning Quit Rents,*" with the engroſſed amendments, was read the third time and recommitted to a committee of the whole Houſe.

The bill entitled "*An act to veſt the right of the people of this State to certain lands lying in the county of Waſhington, in John Thurman,*" the bill entitled "*An act to prevent the origin and introduction of peſtilential and infectious diſeaſes into this State,*" the bill entitled "*An act for raiſing a ſum of money for building a Court-Houſe and Gaol in Delaware county, and other purpoſes therein mentioned,*" the bill entitled "*An act for the relief of the deviſees of John H. Ten Eyck, deceaſed,*" and the bill entitled "*An act for the gradual abolition of ſlavery,*" were ſeverally read the ſecond time and committed to a committee of the whole Houſe.

A petition of Cornelius Van Veghten and others, inhabitants of the county of Saratoga, praying a reviſion of the laws for the ſuppreſſion of vice and immorality, was read, and committed to a committee of the whole Houſe, when on the bill entitled an "*An act to prevent the profanation of the Sabbath.*"

A meſſage from his Excellency the Governor, delivered by his private ſecretary, was read, and is in the words following, viz.

GENTLEMEN,

The Secretary of State, purſuant to an act of the Congreſs of the United States, has tranſmitted to me four hundred and twenty-three copies of the laws of the United States, for the uſe of this State. I do not conceive myſelf authorized to make any diſtribution of theſe laws, and therefore lay before you the two letters (of 15th Auguſt and 2d December laſt) which I have received from the Secretary of State on this ſubject, that theſe laws may be diſpoſed of in the manner which the Legiſlature ſhall be pleaſed to indicate.

JOHN JAY.

ALBANY, *February 8th*, 1798.

Thereupon, *Reſolved*, (if the Hon. the Senate concur herein) That a joint committee of both Houſes be appointed to take into conſideration the meſſage of his Excellency the Governor, relative to the diſtribution of certain copies of the laws of the United States, and to report their opinion thereon; and in caſe of ſuch concurrence, that Mr. Metcalfe, Mr. Maſon, Mr. Lee, Mr. Burling and Mr. Morſe, be of the ſaid committee on the part of this Houſe.

Ordered, That Mr. Jenkins and Mr. Kane deliver a copy of the preceding reſolution to the Hon. the Senate.

A petition of Thomas Arthur and others, freeholders and inhabitants of the county of Clinton, praying that a law may be paſſed authorizing the ſale of uncultivated lands in ſaid county for the payment of public charges, was read, and referred to Mr. Roſs, Mr. Potter and Mr. Pride.

A petition of John Dubois and others, creditors of Peter Dubois, late of Ulſter county, praying that a law may be paſſed authorizing the ſale of the remainder of his eſtate for the benefit of all his creditors, was read, and referred to Mr. Clifft, Mr. Holt and Mr. Miller.

A petition of Charles Mudge and others, inhabitants of the town of Springfield, praying to be incorporated by the name of the Weſtern Turnpike Company, was read, and referred to Mr. Dewey, Mr. Bowen, Mr. Burt, Mr. Gettman and Mr. Brown.

A petition of Daniel Babbit, relative to a leaſe of a farm in Dutcheſs county, and alſo reſpecting certain perſonal property taken and ſold by the commiſſioners of ſequeſtration, was read and referred to the Attorney-General.

A petition of Timothy Hoſmer and others; a petition of Joſeph Morgan and others, and a petition of William Wadſworth and others, inhabitants of the county of Ontario, praying that a law may be paſſed laying a tax on waſte and uncultivated lands, for the purpoſe of improving roads and bridges, was read, and committed to the committee of the whole Houſe, when on the bill entitled "*An act more effectually to provide for the improvement of roads and bridges in certain counties therein mentioned.*"

A petition of David Vallance, praying a grant of bounty lands for his ſervices as a Lieutenant in the late American army, was read, and referred to Mr. Bird, Mr. Fonda and Mr. Bevier.

A memorial of Lewis A. Scott, Secretary of this State, praying that proviſion may be made by law for defraying the expenſes which will neceſſarily ariſe in the removal of his office and family to the city of Albany; that he may be provided with a ſuitable houſe for his family in the ſaid city, and that the Legiſlature will direct the houſe now occupied by him to be ſold to him on an appraiſement, was read, and referred to Mr. Griſwold, Mr. Verplank and Mr. Wood.

A petition of John Garnett, and a petition of John J. Deroſe, aliens, praying that they may be enabled by law to purchaſe and hold real eſtates within this State, were ſeverally read, and committed to a committee of the whole Houſe when on the bill intitled "*An act to enable certain perſons to purchaſe and hold real eſtates within this State.*"

Fourteen ſeveral petitions of the freeholders and inhabitants of the counties of

Dutcheſs and Ulſter, relative to the opening and improving a road from Mamakating to Coſhecton on the Delaware river, were ſeverally read, and referred to Mr. Mitchell, Mr. Bowman and Mr. Potter.

A meſſage from the Hon. the Senate, delivered by Mr. Cantine and Mr. Clark, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "*An act relative to the records of the town of Brooklyn in King's county,*" without amendment.

Ordered, That Mr. Howard and Mr. Hunt deliver the bill to the Hon. the Council of Reviſion.

The Attorney-General to whom was referred the petition of Albrecht Behrens, reported, That the petition ſtates that Albrecht Behrens, late of the city of New-York, ſugar-refiner, was ſeized at the time of his death, of a real eſtate ſituate in Thames-ſtreet in the city of New-York, and that he died inteſtate, leaving no heirs capable of inheriting the ſame; by means whereof the ſame has eſcheated to the people of this State.

It is alſo alledged by the petitioner that the relations of the ſaid Albrecht Behrens reſide in Bremen, and are one ſurviving brother, and the children of four deceaſed brothers, whoſe names are mentioned in the ſaid petition. That moſt of the ſaid relations are in indigent circumſtances, and ſome of them infants and orphans, ſolely dependent upon public charity for their ſupport.

The petitioner alſo ſtates that he is duly empowered by the reſpective heirs of the ſaid Albrecht Behrens, in Bremen, to take poſſeſſion of the ſaid eſtate in his and their behalf.

The allegations contained in the petition are ſatisfactorily, although not legally verified. By the prayer of the petition, it would ſeem as if the petitioner was appriſed of this circumſtance, as the object thereof is a releaſe of the right of the people of this State to ſuch heirs as would in the courſe of deſcent, be entitled by law to the ſame. If a law is paſſed it ought to be on the principles propoſed in the petition, as in ſuch caſe the reſpective rights of the applicants might be aſcertained in due courſe of law.

The Attorney-General forbears to give any opinion on the application, as it muſt be conſidered as addreſſed wholly to the bounty of the Legiſlature. It is only neceſſary for him to ſtate, that the eſcheat has not been as yet eſtabliſhed by any legal proceedings.

All of which is reſpectfully ſubmitted.

JOSIAH OGDEN HOFFMAN.

Ordered, That the conſideration thereof be poſtponed.

Mr. Brown from the committee to whom was referred the petition of Joſeph Hawkins, reported, That between two and three years ago on a voyage to the coaſt of Africa, the petitioner became affected with an inflammation of both of his eyes, which terminated in an almoſt total blindneſs. That from an examination of his eyes as carefully as it was in the power of the committee to make it, there appears to be ſo much diſeaſe of them as to require great ſkill in attempting to reſtore his ſight, and that from the great anxiety which the petitioner expreſſes of viſiting Europe, for the purpoſe of getting other help than in his opinion can be obtained in his own country, the committee wiſh the completion of an object ſo deſirable to the petitioner. But not being ſatisfied how far Legiſlative interference may be proper in caſes of private diſtreſs, however poignant, and ſenſible of the exiſting diſinclination of the Legiſlature to the raiſing money by private lotteries, the committee have thought proper to ſubmit the matters of fact, with their favorable opinion, as far as they find themſelves permitted to give it, to the wiſdom and ſympathy of the Houſe.

Ordered, That the ſaid report and petition be committed to a committee of the whole Houſe.

Mr. Fort, from the committee to whom was referred the petition of Joſeph Kline, reported in favor of the petitioner, and obtained leave to bring in a bill entitled "*An act to enable Joſeph Kline to rebuild Chace's bridge,*" which was read the firſt time and ordered a ſecond reading.

Mr. M'Cord, from the committee to whom was referred the petition of John Oſtrander, jun. reported in favor of the petitioner, and obtained leave to bring in a

bill entitled "*An act for the relief of John Oſtrander,*" which was read the firſt time and ordered a ſecond reading.

Leave of abſence was granted to Mr. Denning for two weeks.

Reſolved, That the Surveyor-General do report to this Houſe, how far ſuch parts of the ſeveral acts of the 11th April, 1796, and 28th March, 1797, as relate to the ſurveys of the towns and counties within this State, and the production of materials for the completing a map thereof, have been complied with; and by what cauſes or delinquencies, if any, the objects of the aforeſaid act is delayed.

Ordered, That Mr. Boyd and Mr. Bowman be added to the committee appointed to take into conſideration that part of his Excellency the Governor's ſpeech, relative to the erection of arſenals, the proviſion of arms, and the preſervation of military ſtores.

Then the Houſe adjourned until eleven o'clock to-morrow morning.

Friday, eleven o'clock, A. M. February 9th, 1798.

The engroſſed bill entitled "*An act to enable the Mayor, Recorder and Aldermen of the city of New-York to order the raiſing monies by tax for the maintenance of the poor, and for defraying the contingent expenſes ariſing in the city and county of New-York,*" was read the third time.

Reſolved, That the bill do paſs.

Ordered, That Mr. Jenkins and Mr. Kane deliver the bill to the Hon. the Senate and requeſt their concurrence.

The bill entitled "*An act to enable Joſeph Kline to rebuild Chace's bridge,*" and the bill entitled "*An act for the relief of John Oſtrander,*" were ſeverally read the ſecond time, and committed to a committee of the whole Houſe.

A petition of Abel Hubble and others, praying a grant of money for the purpoſe of rebuilding the bridge acroſs the Schoharie creek, and repairing the road near the ſame, was read and referred to the joint committee appointed to report the ſtate of the lotteries for improving certain great roads within this State.

A meſſage from the Hon. the Senate, delivered by Mr. Clark and Mr. Bronk, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "*An act relative to the lots of land reſerved for the ſupport of the goſpel and ſchools, and for the promotion of literature in the military tract in the county of Onondaga,*" to which they requeſt the concurrence of this Houſe.

The ſaid bill was read the firſt time and ordered a ſecond reading.

A petition of Benjamin Depuy and others, and a petition of David R. Arnell and others, inhabitants of the town of Mamakating, in the county of Ulſter, praying a diviſion of the ſaid town, were ſeverally read and referred to the Members attending in this Houſe from the county of Ulſter.

Mr. Kane obtained leave of abſence for one week.

Reſolved, That the Surveyor-General be requeſted to report to this Houſe how many acres of land are contained in the deſcription in the bill entitled "*An act for veſting certain lands in the county of Waſhington, in John Thurman.*"

Ordered, That the committee to whom was referred the petition of Nehemiah Mead and others, be diſcharged from the further conſideration thereof, and that the ſame be committed to the committee of the whole Houſe when on the bill entitled "*An act for veſting certain lands in the county of Waſhington, in John Thurman.*"

Mr. J. A. De Witt from the committee to whom were referred the ſeveral petitions of Douw Fonda and James Cochran, reported, that finding the prayer of the petitioners is for pecuniary compenſation, and involving queſtions both of law and equity, and therefore move to be diſcharged from the further conſideration thereof:

Thereupon, *Ordered*, That the ſaid committee be diſcharged from the further conſideration of the ſaid petitions, and that the ſame be referred to the Attorney-General.

Mr. Burr from the committee to whom was referred the petition of David Bates, reported in favor of the petitioner, and obtained leave to inſert the name of the petitioner in the bill entitled "*An act for the relief of Brockholſt Livingſton and others.*"

Mr. Foot from the committee to whom was referred the petition of Jonas C. Baldwin and others, reported in favor of the petitioners, and obtained leave to bring in a bill entitled "*An act for the relief of Jonas C. Baldwin and others,*" which was read the firſt time and ordered a ſecond reading.

Mr. Howard, from the committee appointed for the purpose, brought in a bill entitled "*An act for the ſpeedy recovery of debts to the value of* *dollars*," which was read the firſt time and ordered a ſecond reading.

The Houſe proceeded to the conſideration of the report of the Attorney-General, on the petition of Albrecht Behrens: Thereupon,

Ordered, That the ſaid report and petition be referred to Mr. Griſwold, Mr. Arcularius and Mr. T. Barker.

The Houſe then proceeded to the conſideration of the report of the committee of privileges and elections, on the petition of Philip Spencer, jun. as entered on the journals of this Houſe of yeſterday: The ſaid report was again read: Thereupon,

Reſolved, That this Houſe do agree with the committee in their ſaid report.

The Comptroller, to whom was referred the petition of Anthony Bartow and Robert S. Bartow, executors of the laſt will and teſtament of Anthony Bartow, deceaſed, reported, That the petitioners ſet forth in their petition that their teſtator, prior and during the late war, reſided in the county of Weſtcheſter in this State; and during ſuch reſidence, in the years 1777 and 1778, he furniſhed a large number of black cattle for the uſe of the army of the United States, for which no compenſation has been made. That their teſtator died in 1789, much injured in his circumſtances from the misfortunes he experienced to render aſſiſtance to the United States during the war, leaving many children, moſt of them minors. That the teſtator, prior to his death, made his will, and appointed the petitioners executors thereof. That they have proved the will, and upon examining the teſtator's papers, during the year 1794, found the neceſſary certificates, given at the time, to teſtify the truth of their claim; and in the year 1795, they preſented their petition to Congreſs, praying an act granting them relief; but, for cauſes unknown to them, no ſuch act was ever paſſed. That from theſe facts, the petitioners confiding in the juſtneſs of their claim, hope to find that relief from the Legiſlature of this State which they have failed to procure from Congreſs; and flatter themſelves, that the principles of juſtice, which have hitherto governed the deciſions of the Legiſlature, will influence them to receive this claim, though preſented at this late day: And therefore they pray an act granting them relief.

The only document accompanying the petition, is a paper dated Scarſdale, March 1, 1777, and ſigned Nicholas Fiſh, major, certifying "that there were taken from "Mr. Anthony Bartow, of Weſtcheſter, thirty head of cows and young cattle, ſome "of which had been fatted, all of which were delivered to the committee of convention in" that "county." It does not appear when, by whom, or for what cauſe the cows and young cattle, mentioned in this certificate, were taken; but the petitioners themſelves ſtate, that the cattle, for which they aſk compenſation, were furniſhed for the uſe of the army of the United States; the Comptroller is therefore of opinion, that they have no claim for compenſation againſt this State.

All which is reſpectfully ſubmitted.

SAMUEL JONES, *Comptroller*.

ALBANY, *February 8th*, 1798.

Reſolved, That this Houſe do approve of the report of the Comptroller.

The Comptroller, to whom was referred the memorial of Alexander Comrie, reported, That he ſets forth that in the year 1777, he purchaſed a lot of land in the patent of Kayaderoſſeras, containing 200 acres, of Beriah Palmer, Eſq. then agent to Iſaac Low, of the city of New-York; which lot, among others, was afterwards forfeited to this State, and ſold at public vendue: That the memorialiſt attended the vendue and bid for the ſaid lot until it went ſo far above his ability that he could not think of purchaſing: That it was ſold for 700l. and the lands adjoining it were ſold for only 20s. per acre: That he conceives this great difference of prices was owing entirely to the improvements by him made on the lot, conſiſting of ſixteen acres well cleared and fenced, with fifty two bearing apple trees and a good log houſe and barn which ſtand on the premiſes to this day: That he is now become poor by reaſon of being deprived of the benefit of the ſaid lot and the improvements thereon, and no compenſation given him for the ſame; and he therefore hopes and prays for relief.

The contract is dated the 19th of October, 1778: The purport of it is, that Beriah Palmer, by virtue of a letter of attorney under the hands of Jacob Walton, Iſaac Low and Anthony Van Dam, had bargained and ſold to Alexander Comrie and to his heirs and aſſigns forever, two lots of land in the patent of Kayaderoſſeras, one containing 200 and the other 232 acres: The contract is under the hands and ſeals of the parties, and contains the following clauſe: "And the ſaid Beriah Palmer agrees to, and with the ſaid Alexander Comrie, to purchaſe him, the ſaid Alexander Comrie, a good and ſufficient deed in the law, in fee ſimple, for the ſaid two lots of land abovementioned, duly executed by the ſaid Jacob Walton, Iſaac Low and Anthony Van Dam, at and immediately after the preſent war will permit of the ſame, and have the ſame ready to deliver to him, the ſaid Comrie, at the houſe of the ſaid Beriah Palmer, except it ſhall ſo happen that the lands of the ſaid Jacob Walton, Iſaac Low and Anthony Van Dam, ſhall be confiſcated to the State, in which caſe the ſaid Beriah Palmer agrees to procure him, the ſaid Comrie, a like ſufficient deed from the State or from perſons that ſhall be empowered by the authority of the ſame to grant ſuch lands and give titles.

The memorialiſt has produced ſeveral affidavits to prove that he took poſſeſſion of the lot of 200 acres and made improvements on it, which ſome of the deponents value at 126l. This lot was ſold by the commiſſioners of forfeitures for the Weſtern Diſtrict, as forfeited by the attainder of Iſaac Low, as appears by a certificate of one of the commiſſioners, who certifies, that he is of opinion that it ſold for at leaſt 100l. more in conſequence of the improvements made thereon by the memorialiſt.

The contract itſelf furniſhes full proof that the parties contemplated the probability that the land would be forfeited; and they therefore make proviſion in caſe of that event. If Palmer had performed what he ſtipulated on his part, the memorialiſt would not have ſuffered any loſs; and if he has not done it he is liable for the damage on his contract. The Comptroller is therefore of opinion that the memorialiſt ought to be left to his ordinary remedy at law, eſpecially as it would be highly detrimental to the intereſt of the State, to give compenſation in any caſe, in conſequence of contracts made after the 9th day of July, 1776, by or in behalf of perſons whoſe eſtates have been forfeited for adhering to the enemy during the late war.

All which is reſpectfully ſubmitted.

SAMUEL JONES, *Comptroller.*

Albany, February 8th, 1798.

Reſolved, That this Houſe do approve of the ſaid report.

The Comptroller, to whom was referred the petition of Mary Hanſon, and the papers accompanying the ſame, reported, That the petitioner is the widow and acting executrix of the teſtament and laſt will of John Hanſon, her late huſband, deceaſed, and her application to the Legiſlature is for payment of the arrears of a penſion granted to the ſaid John Hanſon by the king of Great-Britain, payable out of the quit rents in the late province of New-York. The firſt grant was by a treaſury warrant dated 22d March, 1774, directed to Andrew Elliot, Eſq. receiver-general of quit rents ariſing within the province of New-York, and to the receiver thereof for the time being, authorizing and commanding him out of the money ariſing from the quit rents to pay the ſaid John Hanſon or his aſſigns, the ſum of 500l. per annum, ſterling, during his natural life. It appears by the books of the receiver-general, that he paid the ſaid John Hanſon 250l. ſterling on this warrant the 15th of October, 1774, and afterwards the further ſum of 105l. 10 2 ſterling in full of all demands on that warrant, when it was delivered up and cancelled. By another treaſury warrant dated the 8th December, 1774, and directed in the ſame manner as the other, the receiver-general was authorized and commanded to pay to the ſaid John Hanſon, or his aſſigns, out of the money ariſing from the quit rents, 1000l. ſterling, as a free gift and royal bounty of the king. This ſum was paid the 12th October, 1775. By another treaſury warrant dated the ſame 8th December, 1774, and directed in the ſame manner as the others, the receiver-General was authorized and commanded to pay the ſaid John Hanſon, or his aſſigns, out of the money ariſing from the quit rents, the yearly ſalary or allowance of 300l. a year, ſterling, for nine years, and after that term, the yearly ſalary or allowance of 500l. ſterling during his natural life. It appears that the receiver-general paid him upon this warrant 241l. 13 4, being the amount of the

penſion of 300l. per annum to the 29th September, 1775; theſe payments amount in the whole to 1,597l. 3 6, but as the petitioner ſtates that her huſband received 1,800l. ſterling, it is probable that a further payment was made for which no receipt appears.

The petitioner during the laſt ſeſſion of the Legiſlature, preſented a ſimilar petition which was referred to the Attorney-General, whoſe report thereon is entered on the Journals of the Hon. Houſe of Aſſembly, of the 20th February, 1797, to which the Comptroller begs leave to refer. The petitioner has ſince obtained copies of the warrants from the treaſury-office in England, certified by Geo. Ramus, who is probably a clerk in the office: they are no other otherwiſe authenticated, but the Comptroller has no doubt of their being true copies, as they agree as to the dates and ſums with the warrants mentioned in the payments above ſtated.

Suppoſing John Hanſon lived to the 8th May, 1785, and that he received 1,800l. in his life time, the arrears due to him at the time of his death amounted to 2,963l. 16s. 10d. ſterling.

All which is reſpectfully ſubmitted.

SAMUEL JONES, *Comptroller.*

Ordered, That the ſaid report be referred to Mr. Clinton, Mr. Benton and Mr. A. Smith.

A meſſage from the Hon. the Council of Reviſion, delivered by the Hon. Mr. Juſtice Lanſing, was read, that it does not appear improper to the Council, that the bill entitled "*An act making a temporary diſpoſition of the property now in the treaſury of this State,*" and the bill entitled "*An act relative to the Records of the town of Brooklyn in King's county,*" ſhould ſeverally become laws of this State.

Mr. Brown from the committee of the whole Houſe on the bill entitled "*An act to incorporate the New-York Inſurance Company,*" reported progreſs, and obtained leave to ſit again.

A copy of a reſolution of the Hon. the Senate, delivered by Mr. Bronk and Mr. Clark, was read, that the Senate have concurred with this Houſe in their reſolution as entered on the Journals yeſterday, appointing a joint committee of both Houſes to take into conſideration the meſſage of his Excellency the Governor, relative to the diſtribution of certain copies of the laws of the United States, and to report their opinion thereon, and that Mr. Tillotſon, Mr. Gordon and Mr. J. Morris be of the ſaid committee on the part of the Senate.

Mr. Storm from the committee of the whole Houſe on the bill entitled "*An act to amend the act entitled "An act to ſettle diſputes concerning the titles to lands in the county of Onondaga,*" reported, that the committee had gone through the bill and made amendments, which he was directed to report to the Houſe, and he read the report in his place and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the amendments be engroſſed.

Mr. Wood from the committee of the whole Houſe, on the bill entitled "*An act to authorize the raiſing a ſum of money to build a gaol in the county of Ontario,*" reported that the committee had gone through the bill and made amendments, which he was directed to report to the houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the houſe.

Ordered, That the amendments be engroſſed.

Mr. Clinton from the committee of the whole houſe, on the bill entitled "*An act for dividing the town of Crown-Point,*" reported that the committee had gone through the bill without amendment, which he was directed to report to the houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the houſe.

The ſaid bill was read the third time.

Reſolved, That the bill do paſs.

Ordered, That Mr. Maſon and Mr. M'Cord, deliver the bill to the Hon. the Senate and inform them that this houſe have paſſed the bill without amendment.

Mr. Holt obtained leave of abſence for three days.

Then the Houſe adjourned until ten o'clock to-morrow morning.

Saturday, ten o'clock, A. M. February 10th, 1798.

The bill entitled "*An act to authorize the raiſing a ſum of money to build a Gaol in the county of Ontario,*" with the engroſſed amendments, was read the third time.

Reſolved, That the bill do paſs.

The bill entitled "*An act to amend an act entitled "An act to ſettle diſputes concerning the titles to lands in the county of Onondaga,*" with the engroſſed amendments, was read the third time.

Reſolved, That the bill do paſs.

Ordered, That Mr. Maſon and Mr. M'Cord deliver the two laſt mentioned bills to the Hon. the Senate, and inform them that this Houſe have paſſed the ſaid bills with the amendments therewith reſpectively delivered.

The bill entitled "*An act relative to the lots of land reſerved for the ſupport of the Goſpel and ſchools, and for the promotion of literature in the military tract in the county of Onondaga,*" the bill entitled "*An act for the relief of Jonas C. Baldwin,*" and the bill entitled "*An act for the ſpeedy recovery of debts to the value of dollars,*" were ſeverally read the ſecond time and committed to a committee of the whole Houſe.

Twenty-eight ſeveral petitions of the inhabitants of the town of Newburgh, praying that all that part of the county of Orange north of the mountains, together with the towns of New-Windſor, Newburgh, New-Marlborough, Shawangunk, Montgomery, Walkill and Mamakating may be erected into a ſeparate county; and ſixteen ſeveral petitions of inhabitants of the county of Ulſter, remonſtrating againſt ſuch propoſed ſeparation, were ſeverally read and referred to Mr. Bird, Mr. Adams, Mr. J. Smith, Mr. Hall and Mr. Foot.

A petition of William Schermerhorn and others, debtors confined in the gaol of the county of Columbia, praying that a law may be paſſed at the preſent ſeſſion for the more ample and ſpeedy relief of priſoners confined for debt, was read, and referred to Mr. Metcalfe, Mr. Burr, Mr. Bird, Mr. Bowman and Mr. Wood.

Mr. Rice, purſuant to notice by him for that purpoſe heretofore given, moved for and obtained leave to bring in a bill entitled "*An act to amend the act entitled "An act for dividing the county of Schoharie into towns,*" which was read the firſt time and ordered a ſecond reading.

The Houſe proceeded to the conſideration of the amendments of the Hon. the Senate to the bill entitled "*An act for the regulation of pilots and pilotage for the port of New-York:*" thereupon,

Reſolved, That this Houſe do concur with the Hon. the Senate in their amendments to the ſaid bill, which are deſignated for that purpoſe in the margin of the ſaid amendments, and do not concur in the other amendment.

Ordered, That Mr. M'Cord and Mr. M'Farlan deliver the bill, amendments, and a copy of the preceding reſolution to the Hon. the Senate.

Mr. Jenkins from the committee to whom were referred the ſeveral petitions from the inhabitants reſiding on and near the road leading from Maſſachuſetts by Lebanon ſprings to the city of Albany, reported in favor of the petitioners, and obtained leave to bring in a bill entitled "*An act to eſtabliſh a turnpike corporation for improving the road from the ſprings in Lebanon to the city of Albany,*" which was read the firſt time and ordered a ſecond reading.

Mr. Maſon in behalf of Mr. Benton from the committee of the whole Houſe on the bill entitled "*An act to regulate the returning and impannelling of jurors for the trial of iſſues,*" reported progreſs and obtained leave to ſit again.

Two ſeveral meſſages from the Hon. the Senate, delivered by Mr. Coe and Mr. Frey, with the bills therein reſpectively mentioned, were read, that the Senate have concurred with this Houſe in their amendments to the bill entitled "*An act to amend the act entitled "An act to ſettle diſputes concerning the titles to land in the county of Onondaga,*" and to the bill entitled "*An act to authorize the raiſing a ſum of money to build a gaol in the county of Ontario,*" and have amended the ſaid bills accordingly.

Ordered, That Mr. M'Farlan and Mr. M'Neal return the ſaid bills to the Hon. the Senate.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Coe and Mr. Frey, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "*An act to amend an act entitled "An act making alterations in the Criminal Law of this*

State, and for erecting State Priſons," to which they requeſt the concurrence of this Houſe. The ſaid bill was read the firſt time and ordered a ſecond reading.

A meſſage from the Hon. the Senate, delivered by Mr. Ganſevoort and Mr. Gold, with the bill therein mentioned, was read, that the Senate do adhere to their amendments to the bill entitled "*An act for the regulation of pilots and pilotage for the port of New-York,*" which were not concurred in by this Houſe.

Ordered, That the further conſideration of the ſaid bill be poſtponed.

A meſſage from the Hon. the Senate alſo delivered by Mr. Ganſevoort and Mr. Gold, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "*An act concerning the auditing and allowance of certain public accounts,*" with the amendments therewith delivered.

Ordered, That the conſideration of the amendments be poſtponed.

Mr. De la Montagnie from the committee of the whole Houſe on the bill entitled "*An act to prevent the profanation of the Sabbath,*" reported, that the firſt enacting clauſe of the ſaid bill was read, and is in the words following, viz.

" Be it enacted by the people of the State of New-York, repreſented in Senate and Aſſembly, That there ſhall be no travelling or riding out for pleaſure, ſervile laboring or working, (works of neceſſity or charity excepted) ſhooting, fiſhing, ſporting, playing, horſe-racing, hunting, or frequenting of taverns or tippling houſes, or any unlawful exerciſe or paſtime, by any perſon or perſons within this State, on the firſt day of the week, called the Sabbath or the Lord's Day; and that every perſon being of the age of fourteen years or upwards offending in the premiſes, ſhall, for every ſuch offence, forfeit and pay the ſum of dollars, the one half to the complainer and the other half to the uſe of the poor of the city or town where ſuch offence ſhall be committed. And that no perſon ſhall cry, ſhew forth, or expoſe to ſale, any wares, merchandize, fruit, herbs, goods or chattels, upon the firſt day of the week, called the Lord's Day, (except ſmall meat, milk and fiſh) before nine of the clock in the morning, upon pain that every perſon ſo offending, ſhall forfeit the ſame goods ſo cried, ſhewed forth, or expoſed to ſale, the one half to the complainer and the other half to the uſe of the poor of the city or town where ſuch offence ſhall be committed. And if any perſon offending in any of the premiſes, ſhall be thereof convicted before any Juſtice of the peace for the county, or any Mayor, Recorder, or Alderman, of the city where the offence ſhall be committed, upon the view of the ſaid Juſtice, Mayor, Recorder, or Alderman, or confeſſion of the party offending, or proof of any witneſs or witneſſes upon oath, then the ſaid Juſtice, Mayor, Recorder, or Alderman, before whom ſuch conviction ſhall be had, ſhall direct and ſend his warrant, under his hand and ſeal, to ſome Conſtable of the city or county where the offence ſhall have been committed, commanding him to ſeize and take the goods ſo cried, ſhewed forth, or expoſed for ſale as aforeſaid, and to ſell the ſame, and to levy the ſaid forfeitures or penalties, by diſtreſs and ſale of the goods and chattels of ſuch offenders, and to pay the money ariſing by the ſale of ſuch goods ſo ſeized, and the ſaid other forfeitures or penalties, to the ſaid Juſtice, Mayor, Recorder, or Alderman, who iſſued the ſaid warrant; and the ſaid Juſtice, Mayor, Recorder, or Alderman, is hereby directed to receive the ſame, and to pay the ſaid fines, forfeitures or penalties, ſo by him recovered, the one half to the complainer and the other half to the overſeers of the poor of the city or town where the ſaid offence or offences ſhall have been committed, for the uſe of the poor thereof. And in caſe no ſuch diſtreſs can be had, then every offender ſhall, by a warrant under the hand and ſeal of the ſaid Juſtice, Mayor, Recorder, or Alderman, be committed to the gaol of the ſaid city or county for the ſpace of days. And further, that if any perſon ſhall be found travelling, riding out for pleaſure, or doing any manner of ſervile labor or work, (works of neceſſity or charity excepted) ſhooting, fiſhing, ſporting, playing, horſe-racing, hunting, or frequenting of taverns or tippling houſes, or any unlawful exerciſe, or paſtime, on the firſt day of the week, called the Lord's Day, it ſhall be lawful for any Conſtable or other citizen to ſtop every perſon ſo offending, and to detain him or her until the next day, and then to carry or convey him or her to ſome Juſtice of the peace, to be dealt with according to law. Provided always, that no perſon going to or returning from any church or place of worſhip, within the diſtance of twenty miles, or going to call a phyſician, ſurgeon, or midwife, or carrying a mail to or from

any poſt-office, or going expreſs by order of any public officer, ſhall be conſidered as travelling within the meaning of this act.

That Mr. Griſwold made a motion that the committee ſhould agree to reject the ſaid clauſe, that debates were had thereon, and the queſtion being put whether the committee did agree to the motion of Mr. Griſwold, it paſſed in the negative in the manner following, viz.

For the Negative.

Mr. Arcularius,	Mr. J. C. De Witt,	Mr. M'Neal,	Mr. J. Smith,
Mr. Baldwin,	Mr. Foot,	Mr. Micheau,	Mr. Snell,
Mr. Barber,	Mr. Fort,	Mr. Miller,	Mr. Storm,
Mr. J. Barker,	Mr. Gettman,	Mr. Mitchell,	Mr. Speaker,
Mr. T. Barker,	Mr. Gregory,	Mr. Moſſet,	Mr. Teed,
Mr. W. Barker,	Mr. Hall,	Mr. Potter,	Mr. Ten Broeck,
Mr. Bevier,	Mr. Hatfield,	Mr. Pride,	Mr. Thomas,
Mr. Bowen,	Mr. Heermance,	Mr. Reeve,	Mr. Jeſſe Thompſon,
Mr. Boyd,	Mr. Henry,	Mr. Rice,	Mr. Iſrael Thompſon,
Mr. Burling,	Mr. Holly,	Mr. Robins,	Mr. Tyler,
Mr. Burt,	Mr. Hovey,	Mr. Roſs,	Mr. Vandervoort,
Mr. Carman,	Mr. Howard,	Mr. Savage,	Mr. Van Alſtyne,
Mr. Clifft,	Mr. Hunt,	Mr. P. I. Schuyler,	Mr. Verplank,
Mr. Clinton,	Mr. Lee,	Mr. P. P. Schuyler,	Mr. Wendell,
Mr. Coe,	Mr. Maſon,	Mr. Skidmore,	Mr. Wheeler,
Mr. Comſtock,	Mr. M'Cord,	Mr. A. Smith,	Mr. Williamſon,
Mr. Cornwell,	Mr. M'Farlan,	Mr. T. Smith,	Mr. Wood. 69
Mr. J. A. De Witt,			

For the Affirmative.

Mr. Adams,	Mr. Coryell,	Mr. Halſey,	Mr. Morſe,
Mr. Bird,	Mr. Dewey,	Mr. Hoag,	Mr. Ogden,
Mr. Bowman,	Mr. Fonda,	Mr. Horton,	Mr. N. Smith. 15
Mr. Brown,	Mr. Griſwold,	Mr. Jenkins,	

That Mr. Brown then made a motion that the words *travelling or* in the 2d line of the ſaid firſt enacting clauſe ſhould be expunged; that debates were had thereon, and the queſtion being put whether the committee did agree to the motion of Mr. Brown, it paſſed in the negative in the manner following, viz.

For the Negative.

Mr. Arcularius,	Mr. J. A. De Witt,	Mr. M'Cord,	Mr. T. Smith,
Mr. Baldwin,	Mr. J. C. De Witt,	Mr. M'Neal,	Mr. J. Smith,
Mr. Barber,	Mr. Foot,	Mr. Micheau,	Mr. Snell,
Mr. J. Barker,	Mr. Fort,	Mr. Miller,	Mr. Storm,
Mr. T. Barker,	Mr. Gettman,	Mr. Mitchell,	Mr. Speaker,
Mr. W. Barker,	Mr. Gregory,	Mr. Moffet,	Mr. Teed,
Mr. Bevier,	Mr. Griſwold,	Mr. Pride,	Mr. Ten Broeck,
Mr. Bowen,	Mr. Hatfield,	Mr. Reeve,	Mr. Jeſſe Thompſon,
Mr. Boyd,	Mr. Heermance,	Mr. Rice,	Mr. Iſrael Thompſon,
Mr. Burt,	Mr. Henry,	Mr. Robins,	Mr. Vandervoort,
Mr. Carman,	Mr. Hoag,	Mr. Savage,	Mr. Van Alſtyne,
Mr. Clifft,	Mr. Holly,	Mr. P. P. Schuyler,	Mr. Wendell,
Mr. Coe,	Mr. Lee,	Mr. Skidmore,	Mr. Wheeler,
Mr. Comſtock,	Mr. Maſon,	Mr. A. Smith,	Mr. Wood. 56

For the Affirmative.

Mr. Adams,	Mr. Dewey,	Mr. Howard,	Mr. Potter,
Mr. Bird,	Mr. Fonda,	Mr. Hunt,	Mr. Roſs,
Mr. Bowman,	Mr. Hall,	Mr. Jenkins,	Mr. N. Smith,
Mr. Brown,	Mr. Halſey,	Mr. M'Farlan,	Mr. Thomas,
Mr. Clinton,	Mr. Horton,	Mr. Morſe,	Mr. Williamſon. 23
Mr. Coryell,	Mr. Hovey,	Mr. Ogden,	

That in proceeding further Mr. Mitchell made a motion that the committee ſhould agree to a clauſe with a recital as a ſubſtitute to the ſaid firſt enacting clauſe, which ſubſtitute with the recital was read, and is in the words following, viz.

"Whereas idleneſs is productive of many vicious and criminal exceſſes in ſociety, and induſtry among a people is eminently conducive to the preſerving of health, the

procuring of wealth, and the promotion of virtue, and generally to the advancement of morality and righteouſneſs: therefore,

"Be it enacted by the people of the State of New-York repreſented in Senate and Aſſembly, That during the ſix days of every week which ſhall intervene between Sunday and Sunday, or between the day of the week which any perſon ſhall keep as holy time, and the correſponding day of the following week, it ſhall not be lawful for any perſon of the age of years (caſes of inability only excepted) to remain idle; but each and every ſuch perſon ſhall induſtriouſly follow his or her reſpective art, trade, myſtery, profeſſion or calling, and by ſteady employment during the ſaid ſix days, do all the labor they have to do."

That Mr. Clinton made a motion that the previous queſtion ſhould be taken on the ſaid ſubſtitute.

That the chairman put the queſtion, ſhall the main queſtion be now put, which paſſed in the negative in the manner following, viz.

For the Negative.

Mr. Arcularius,	Mr. J. A. De Witt,	Mr. Maſon,	Mr. T. Smith,
Mr. Baldwin,	Mr. J. C. De Witt,	Mr. M'Cord,	Mr. J. Smith,
Mr. Barber,	Mr. Fonda,	Mr. M'Farlan,	Mr. Snell,
Mr. J. Barker,	Mr. Foot,	Mr. M'Neal,	Mr. Storm,
Mr. T. Barker,	Mr. Fort,	Mr. Micheau,	Mr. Speaker,
Mr. W. Barker,	Mr. Gettman,	Mr. Miller,	Mr. Teed,
Mr. Bevier,	Mr. Gregory,	Mr. Moffet,	Mr. Ten Broeck,
Mr. Bowen,	Mr. Hall,	Mr. Potter,	Mr. Thomas,
Mr. Bowman,	Mr. Halſey,	Mr. Pride,	Mr. Iſrael Thompſon,
Mr. Boyd,	Mr. Hatfield,	Mr. Reeve,	Mr. Tyler,
Mr. Burling,	Mr. Heermance,	Mr. Robins,	Mr. Vandervoort,
Mr. Burt,	Mr. Henry,	Mr. Roſs,	Mr. Van Alſtyne,
Mr. Clifft,	Mr. Hoag,	Mr. Savage,	Mr. Verplank,
Mr. Clinton,	Mr. Holly,	Mr. P. I. Schuyler,	Mr. Wendell,
Mr. Coe,	Mr. Hovey,	Mr. P. P. Schuyler,	Mr. Wheeler,
Mr. Comſtock,	Mr. Howard,	Mr. Skidmore,	Mr. Williamſon,
Mr. Cornwell,	Mr. Lee,	Mr. A. Smith,	Mr. Wood. 68

For the Affirmative.

Mr. Adams,	Mr. Coryell,	Mr. Hunt,	Mr. Ogden,
Mr. Bird,	Mr. Dewey,	Mr. Jenkins,	Mr. Rice,
Mr. Brown,	Mr. Griſwold,	Mr. Mitchell,	Mr. N. Smith,
Mr. Carman,	Mr. Horton,	Mr. Morſe,	Mr. Jeſſe Thompſon. 16

Mr. De la Montagnie reported further progreſs, and obtained leave to ſit again.

The Houſe proceeded to the conſideration of the amendments of the Hon. the Senate to the bill entitled "*An act to prevent unneceſſary public proſecutions when the parties injured have remedy by civil action;*" the bill and amendments were read, and the amendments being read a ſecond time, were concurred in by the Houſe, and the bill amended accordingly.

Ordered, That Mr. M'Neal and Mr. Micheau deliver the bill to the Hon. the Senate, and inform them that this Houſe have concurred in their amendments to the bill, and have amended the ſame accordingly.

Then the Houſe adjourned until eleven o'clock on Monday morning next.

Monday, eleven o'clock, A. M. February 12th, 1798.

The engroſſed bill entitled "*An act to amend an act entitled "An act to regulate buildings in certain limits in the city of Albany,*" was read the third time.

Reſolved, That the bill do paſs.

Ordered, That Mr. Micheau and Mr. Miller deliver the bill to the Hon. the Senate, and requeſt their concurrence.

The bill entitled "*An act to amend an act entitled "An act making alterations in the Criminal Law of this State, and for erecting State Priſons;*" the bill entitled "*An act to encourage emigration to this State;*" the bill entitled "*An act to eſtabliſh a turnpike corporation for improving the road from the ſprings in Lebanon to the city of Albany,*" and the bill entitled "*An act to amend the act entitled "An act for dividing the county of Schoharie into towns,*" were ſeverally read the ſecond time, and committed to a committee of the whole Houſe.

A petition of Samuel Avery in behalf of himſelf and others, grantees under the late colony of New-York, praying compenſation for lands ceded to the State of Vermont, was read, and referred to the Comptroller to report thereon.

A petition of Robert Boyd, ſtating that he was claſſed with a number of other perſons who furniſhed an able bodied man to ſerve for ſix months as a ſoldier; that he has purchaſed of his aſſociates their right to the bounty of two hundred acres, which they were entitled to by law for the ſaid recruit, praying a grant of the ſaid two hundred acres, was read and referred to Mr. Bird, Mr. Fonda and Mr. Bevier.

A petition of William Henderſon, praying a grant of bounty lands for his ſervices as a private in Col. Van Schaick's regiment during the late war, was read and referred to Mr. Bird, Mr. Fonda and Mr. Bevier.

A petition of George Hiltz and others, freeholders and inhabitants of the county of Schoharie, praying a law altering the boundary line of the town of Schoharie, was read and committed to a committee of the whole Houſe, when on the bill entitled *"An act to amend the act entitled "An act for dividing the county of Schoharie into towns."*

A petition of Benjamin Moers and others, inhabitants of the county of Clinton, complaining of improper expenditures of the money appropriated to the building of bridges and repairing of roads in ſaid county, was read and referred to the Attorney-General.

Mr. Griſwold, from the committee for Courts of Juſtice, to whom were referred the ſeveral petitions of the inhabitants of the city of New-York, praying a repeal of the act entitled *"An act concerning the recovery of debts and demands to the value of ten pounds in the city of New-York,"* reported, that it does not appear to the committee expedient that the prayer of the petitioners ſhould be granted, but that ſome amendments to ſaid act would be proper; and for that purpoſe the committee have prepared a bill, and directed him to move for leave to bring in the ſame; leave being given, Mr. Griſwold brought in the ſaid bill, entitled *"An act ſupplementary to the act entitled "An act concerning the recovery of debts and demands to the value of ten pounds in the city of New-York,"* which was read the firſt time and ordered a ſecond reading.

Mr. Griſwold, from the committee appointed by a joint reſolution of the Senate and Aſſembly to conſider and report whether any, and if any, what proviſion, reward, gratuity or compenſation, be proper to be made to the Hon. Robert Yates, who is about to go out of office, and the Hon. John Sloſs Hobart, who has recently gone out of office, as Judges of the Supreme Court of Judicature of this State, reported, that from the peculiar circumſtances and ſituation of the ſaid Robert Yates and John Sloſs Hobart, it appears to the committee proper that ſome proviſion for them ſhould be made: That the committee have prepared a bill for ſuch purpoſe, and directed him to move for leave to bring in the ſame; leave being given, Mr. Griſwold brought in the ſaid bill, entitled *"An act making proviſion for Robert Yates and John Sloſs Hobart,"* which was read the firſt time and ordered a ſecond reading.

Mr. Vandervoort, from the committee to whom was referred the petition of Abraham Van Taſſel, reported in favor of the petitioner, and obtained leave to bring in a bill entitled *"An act for the relief of Abraham Van Taſſel,"* which was read the firſt time and ordered a ſecond reading.

Mr. P. I. Schuyler, from the committee to whom was referred the petition of Thomas Wooley, reported, that in their opinion ſo much of the petition as prays for an increaſe of the rates of ferriage ought to be granted; and that ſuch part of the petition as prays for an extenſion of limits ought not to be granted; becauſe the committee found on enquiry, that ſuch extenſion would comprehend the landing place of another ferry, now held as private property. That the committee have prepared a bill granting an increaſe of the rates of ferriage, and have directed him to move for leave to bring in the ſame; leave being given, Mr. Schuyler brought in the ſaid bill, entitled *"An act eſtabliſhing the rates of ferriage acroſs the Eaſt River, between the counties of Queen's and Weſtcheſter,"* which was read the firſt time and ordered a ſecond reading.

The Comptroller, to whom was referred the petition of Elizabeth Ripſom, reported, that the petitioner ſets forth that her late huſband, Matthias Ripſom, was ſlain at the battle of Oriſka, on the 6th of Auguſt, 1777. That he was a member of the committee of the then county of Tryon, now Montgomery, and a private in the Militia in the company commanded by Peter Bowman, who was alſo killed in the ſame action. That the petitioner was left a widow with eight young children, whom ſhe

has with great difficulty been enabled to raiſe and ſupport. That ſhe is now upwards of ſixty years of age, infirm and indigent. That by an act of the Legiſlature of this State, paſſed the 14th day of February, 1793, an annuity was granted to Catharine Paris, whoſe huſband was alſo ſlain at ſaid battle: And therefore, ſhe prays that ſimilar proviſion may be granted, or ſuch other relief offered to her as the Legiſlature may deem proper.

This petition is not accompanied with any document; but it appears from the books in the Comptroller's office, that the late Auditor on the 27th October, 1784, granted the petitioner a certificate for the amount of ſeven years half pay of her late huſband.

The grant to Catharine Paris mentioned in the petition proceeded from the mere bounty of the State; and whether it ought to be extended to the petitioner or any other perſon, muſt be left to the wiſdom of the Legiſlature.

All which is reſpectfully ſubmitted.

SAMUEL JONES, *Comptroller.*

ALBANY, *February 10th*, 1798.

Ordered, That the ſaid report and petition be referred to Mr. Rice, Mr. Fairlie and Mr. M'Neal.

The Comptroller, to whom was referred the petition of John Flynn, reported, that the petition ſets forth that the petitioner is become entitled by purchaſe to a certain tract of 200 acres of land, due from the king of Great-Britain to William Potter, a corporal in the 55th regiment of foot for ſervices in the laſt French war: That the lands were laid out and ſurveyed for the petitioner at Baſon Bay, on Lake George, in the month of June, 1774, but no patent has been obtained for the ſame; and the petitioner is informed that the ſaid lands have lately been granted to Jeremiah Van Renſſelaer, Eſq. the prayer of the petition therefore is that the Legiſlature will grant the petitioner relief in the premiſes.

The petition is not ſigned by the petitioner, nor accompanied with any document or proof: The Comptroller is therefore of opinion that the prayer of it ought not to be granted.

All which is reſpectfully ſubmitted.

SAMUEL JONES, *Comptroller.*

ALBANY, *February 10th*, 1798.

Reſolved, That this Houſe do agree with the Comptroller in his ſaid report.

The Comptroller, to whom was referred the petition of Mary Swords, reported, That the petitioner ſets forth that her late huſband, Thomas Swords, ſerved in the late French war in America, and ſettled at Saratoga at the concluſion of it: That he had 2000 acres of land allowed for his ſervices, and purchaſed 1000 acres more: That he was adviſed to lay his location at Sawgars as vacant land in Albany county: That after the location and ſurvey were made the truſtees of Kingſton claimed the land; and the petitioner's huſband had a long conteſt with them in which he was a conſiderable loſer: That he afterwards petitioned for land on Lake George, (as he ſaid in his petition that the ſaid truſtees of Kingſton had entered a caveat againſt him) and obtained an order of ſurvey, and was at great expenſe and trouble in getting it ſurveyed: That before the return of the ſurvey could be made, the war commenced between Great-Britain and America, and the offices were ſhut: That the petitioner has had no compenſation for thoſe lands; and ſhe begs the Legiſlature will conſider her, and order her land in ſome vacant part of the State.

The only document accompanying the petition is a copy of a warrant of ſurvey, dated 8th December, 1772, requiring the then Surveyor-General to ſurvey and lay out for the ſaid Thomas Swords, and ten other perſons, his aſſociates, 11,000 acres of land weſt of Sabbath Day Point, on the eaſt ſide of Hudſon's River, adjoining a tract of land ſurveyed for Samuel Bayard, Jotham Blont and others.

By an act of the Legiſlature of this State, paſſed the 11th April, 1785, the Commiſſioners of the land-office had power to hear and determine the claims of all perſons for grants of lands to which they were entitled under the government of the late colony of New-York, and to grant letters patent for ſuch lands to all ſuch perſons as ſhould be found to have a fair and equitable claim or title thereto, provided ſuch claims were exhibited within a limited time, which is long ſince expired. No re-

ſon is given why the petitioner did not avail herſelf of the benefit of this ſtatute if ſhe had an equitable claim; and it would be attended with many ill conſequences, after ſuch a length of time, to allow ſuch claims which aroſe under the former government. The Comptroller is therefore of opinion, that it would not be proper to grant the prayer of the petition.

All which is reſpectfully ſubmitted.

SAMUEL JONES, *Comptroller.*

ALBANY, *February 10th, 1798.*

Reſolved, That this Houſe do agree with the Comptroller in his ſaid report.

Ordered, That it be the order of the day on Wedneſday next for this Houſe to reſolve itſelf into a committee of the whole Houſe, on the meſſage of his Excellency the Governor of the 31ſt January laſt, with the papers accompanying the ſame.

The Houſe proceeded to the conſideration of the amendments of the Hon. the Senate to the bill entitled "*An act concerning the auditing and allowance of certain public accounts;*" the bill and amendments were read, and the amendments being read a ſecond time, thereupon,

Reſolved, That this Houſe do not concur with the Hon. the Senate in their firſt amendment, and do concur in the other amendment to the ſaid bill.

Ordered, That Mr. M'Neal and Mr. Micheau deliver the bill, amendments and a copy of the preceding reſolution to the Hon. the Senate.

A meſſage from the Hon. the Senate, delivered by Mr. Gold and Mr. Gordon, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "*An act declaring certain ſtreams therein named to be public highways;*" the ſaid bill was read the firſt time and ordered a ſecond reading.

Purſuant to the order of the day, the Houſe proceeded to the conſideration of the objections of the Hon. the Council of Reviſion, to the bill entitled "*An act to veſt certain powers in the freeholders and inhabitants of the villages of Troy and Lanſingburgh,*" as entered on the Journals of this Houſe on the 2d day of January laſt. The ſaid objections having been read and conſidered, and the ſaid bill having been read and reconſidered, Mr. Speaker put the queſtion, whether the ſaid bill, notwithſtanding the objections of the Hon. the Council of Reviſion to the ſame, ſhould become a law of this State, and it was carried in the affirmative by a majority of more than two thirds of the Members preſent. Thereupon,

Reſolved, That the ſaid bill notwithſtanding the objections of the Hon. the Council of Reviſion to the ſame, become a law of this State.

Ordered, That Mr. Micheau and Mr. Miller deliver the ſaid bill, objections and a copy of the preceding reſolution to the Hon. the Senate.

A meſſage from the Hon. the Senate, delivered by Mr. Gordon and Mr. Graham, with the bill therein mentioned, was read, that the Senate do recede from their amendment not concurred in by this Houſe, to the bill entitled "*An act concerning the auditing and allowance of certain public accounts.*"

Ordered, That Mr. Micheau and Mr. Miller deliver the bill to the Hon. the Senate and inform them that this Houſe have amended the ſaid bill purſuant to the amendments of the Hon. the Senate, which were concurred in by this Houſe.

The Hon. the Senate returned by Mr. Graham and Mr. Gordon the bill entitled "*An act to prevent unneceſſary public proſecutions when the parties injured have remedy by civil action.*"

Ordered, That Mr. Miller and Mr. Mitchell deliver the bill to the Hon. the Council of Reviſion.

A meſſage from the Hon. the Council of Reviſion tranſmitted to this Houſe by the Hon. the Senate, was read, that it does not appear improper to the Council that the bill entitled "*An act for dividing the town of Crown Point,*" and the bill entitled "*An act to amend the act entitled "An act to ſettle diſputes concerning the titles to lands in the county of Onondaga,*" ſhould ſeverally become laws of this State.

Mr. Jenkins from the committee of the whole Houſe on the bill entitled "*An act for dividing the county of Orange,*" reported, that in proceeding in the ſaid bill, Mr. Coe made a motion that the committee ſhould agree to add a clauſe to the ſaid bill which was read and is in the words following, viz.

"And be it further enacted, That the ſaid county of Orange ſhall be conſidered

as part of the Southern Diſtrict of this State, and John D. Coe ſhall be conſidered a Senator in the Southern Diſtrict, and when he goes out of office a Senator ſhall be choſen in the ſaid Southern Diſtrict to fill his ſeat, and that hereafter the Southern Diſtrict ſhall be entitled to ten Senators, and the Middle Diſtrict to eleven Senators, any law to the contrary thereof notwithſtanding."

That debates were had thereon, and the queſtion being put whether the committee did agree to the ſaid motion of Mr. Coe, it paſſed in the negative in the manner following, viz.

For the Negative.

Mr. J. Barker,	Mr. Foot,	Mr. M'Neal,	Mr. Speaker,
Mr. T. Barker,	Mr. Fort,	Mr. Moffet,	Mr. Teed,
Mr. W. Barker,	Mr. Gettman,	Mr. Ogden,	Mr. Ten Broeck,
Mr. Bird,	Mr. Gregory,	Mr. Potter,	Mr. Jeſſe Thompſon,
Mr. Bowen,	Mr. Griſwold,	Mr. Prince,	Mr. Iſrael Thompſon,
Mr. Bowman,	Mr. Hall,	Mr. Pride,	Mr. Tyler,
Mr. Brown,	Mr. Heermance,	Mr. Rice,	Mr. Van Alſtyne,
Mr. Bruyn,	Mr. Henry,	Mr. Roſs,	Mr. Verplank,
Mr. Clifft,	Mr. Hoag,	Mr. P. I. Schuyler,	Mr. Voſburgh,
Mr. Cornwell,	Mr. K. Hogeboom,	Mr. P. P. Schuyler,	Mr. Wendell,
Mr. Coryell,	Mr. Horton,	Mr. T. Smith,	Mr. Wheeler,
Mr. Deitz,	Mr. Maſon,	Mr. J. Smith,	Mr. Williamſon. 31
Mr. J. A. De Witt,	Mr. M'Farlan,	Mr. N. Smith,	

For the Affirmative.

Mr. Adams,	Mr. Carman,	Mr. Holly,	Mr. Reeve,
Mr. Arcularius,	Mr. Clinton,	Mr. Hovey,	Mr. Robins,
Mr. Baldwin,	Mr. Coe,	Mr. Howard,	Mr. Skidmore,
Mr. Barber,	Mr. Comſtock,	Mr. Hunt,	Mr. A. Smith,
Mr. Bevier,	Mr. De la Montagnie,	Mr. Lee,	Mr. Snell,
Mr. Boyd,	Mr. J. C. De Witt,	Mr. M'Cord,	Mr. Storm,
Mr. Burr,	Mr. Fairlie,	Mr. Micheau,	Mr. Vandervoort,
Mr. Burling,	Mr. Halſey,	Mr. Miller,	Mr. Warner,
Mr. Burt,	Mr. Hatfield,	Mr. Mitchell,	Mr. Wood. 36

Mr. Jenkins reported further progreſs and obtained leave to ſit again.

Ordered, That it be the order of the day on Thurſday next, for this Houſe to reſolve itſelf into a committee of the whole Houſe on the bill entitled *An act to prevent the profanation of the Sabbath.*"

Mr. Bird from the committee of the whole Houſe on the bill entitled "*An act for the relief of Philip Curtenius, a lunatic,*" reported progreſs and obtained leave to ſit again.

Reſolved, That a committee be appointed to examine whether any and what proviſion is neceſſary to be made by law relative to the eſtates of lunatics, and to the performance of contracts made by them previous to their lunacy, and that Mr. Burr, Mr. Bird and Mr. Bowman be of the ſaid committee.

Reſolved, That a committee be appointed to conſider and report whether any, and if any, what amendments are neceſſary to the act entitled "*An act for the better ſettlement and relief of the poor,*" and the ſeveral amendments thereto, and that Mr. De la Montagnie, Mr. T. Barker, Mr. J. C. De Witt, Mr. Foot and Mr. Maſon be of the ſaid committee.

Then the Houſe adjourned until eleven o'clock to-morrow morning.

Tueſday, eleven o'clock, A. M. February 13th, 1798.

The bill entitled "*An act declaring certain ſtreams therein named to be public highways,*" the bill entitled "*An act for eſtabliſhing the rates of ferriage acroſs the Eaſt river between the counties of Weſtcheſter and Queen's,*" the bill entitled "*An act making proviſion for Robert Yates and John Sloſs Hobart,*" the bill entitled "*An act ſupplementary to the act entitled "An act concerning the recovery of debts and demands to the value of ten pounds in the city of New-York,*" and the bill entitled "*An act for the relief of Abraham Van Taſſel,*" were ſeverally read the ſecond time and committed to a committee of the whole Houſe.

A petition of James Sharples, an alien, praying that he may be enabled by law to purchaſe and hold real eſtates within this State, was read, and referred to the committee of the whole Houſe when on the bill entitled "*An act to enable certain perſons therein named to purchaſe and hold real eſtates within this State.*"

A petition of Daniel Viven and Phineas Hedges in behalf of themſelves and others, and a petition of John Jordan and others, relative to a diviſion of the county of Ul-

ſter, was read, and referred to Mr. Bird, Mr. Adams, Mr. J. Smith, Mr. Hall and Mr. Foot.

A petition of Theophilus Brower and others, of the city of New-York, merchants, relative to the inſpection of fiſh brought to the ſaid city for ſale, was read, and referred to Mr. Storm, Mr. Jenkins and Mr. Heermance.

A petition of John Nicholſon and others, inhabitants of the ſouthern part of the county of Ulſter, praying that the compenſation to the ſeveral officers of government and Legiſlative bodies, may be reduced in proportion to what the ſame was in 1787, and praying alſo that the Legiſlature would addreſs the Congreſs of the United States and endeavor to procure a repeal of the ſtamp act, and of the law impoſing a duty on ſalt and diſtilled ſpirits, was read; Mr. Bird made a motion that the ſaid petition be ordered to lie on the table, debates were had thereon, and Mr. Speaker put the queſtion, whether the Houſe did agree to the motion of Mr. Bird, and it paſſed in the negative in the manner following, viz.

For the Negative.

Mr. Adams,	Mr. Coe,	Mr. Horton,	Mr. Skidmore,
Mr. Arcularius,	Mr. Comſtock,	Mr. Howard,	Mr. A. Smith,
Mr. Baldwin,	Mr. Cornwell,	Mr. Hunt,	Mr. T. Smith,
Mr. Barber,	Mr. Deitz,	Mr. Jenkins,	Mr. Snell,
Mr. J. Barker,	Mr. De la Montagnie,	Mr. Lee,	Mr. Storm,
Mr. T. Barker,	Mr. J. C. De Witt,	Mr. Maſon,	Mr. Teed,
Mr. W. Barker,	Mr. Fonda,	Mr. M'Cord,	Mr. Iſrael Thompſon,
Mr. Bevier,	Mr. Foot,	Mr. Micheau,	Mr. Joel Thompſon,
Mr. Bowen,	Mr. Fort,	Mr. Miller,	Mr. Vandervoort,
Mr. Bowman,	Mr. Gettman,	Mr. Morſe,	Mr. Van Alſtyne,
Mr. Boyd,	Mr. Gregory,	Mr. Potter,	Mr. Verplank,
Mr. Bruyn,	Mr. Halſey,	Mr. Pride,	Mr. Voſburgh,
Mr. Burling,	Mr. Hatfield,	Mr. Reeve,	Mr. Warner,
Mr. Burt,	Mr. Henry,	Mr. Rice,	Mr. Weſt,
Mr. Carman,	Mr. J. Hogeboom,	Mr. Robins,	Mr. Williamſon,
Mr. Clifft,	Mr. K. Hogeboom,	Mr. Savage,	Mr. Wood. 66
Mr. Clinton,	Mr. Holly,		

For the Affirmative.

Mr. Benton,	Mr. Griſwold,	Mr. Moſſet,	Mr. N. Smith,
Mr. Bird,	Mr. Hall,	Mr. Ogden,	Mr. Jeſſe Thompſon,
Mr. Brown,	Mr. Heermance,	Mr. Prince,	Mr. Tyler,
Mr. Campbell,	Mr. Hoag,	Mr. Roſs,	Mr. Wendell,
Mr. Coryell,	Mr. M'Farlan,	Mr. P. I. Schuyler,	Mr. Wheeler. 23
Mr. Fairlie,	Mr. M'Neal,	Mr. P. P. Schuyler,	

Thereupon, *Ordered*, That ſo much of the ſaid petition as prays that the compenſation to the officers of government, &c. may be reduced, be referred to a committee conſiſting of Mr. Bird, Mr. M'Cord, Mr. Williamſon, Mr. Fairlie and Mr. Burt.

A memorial of Boyd and Coruth, praying that the Legiſlature will direct the payment of 325l. being the ſum awarded them by the arbitrators choſen between the committee appointed by law to procure field artillery, &c. and the memorialiſts on a contract for completing certain gun carriages, was read, and committed to the committee of the whole Houſe when on the bill entitled "*An act granting relief to Seth R. Kneeland and Barzillai Duſenbury.*"

A petition of Peter W. Crawford and others, debtors confined in the gaol of the county of Montgomery, praying that a law may be paſſed for the more ample and ſpeedy relief of perſons confined for debt, was read, and referred to Mr. Metcalfe, Mr. Burr, Mr. Bird, Mr. Bowman and Mr. Wood.

A petition of Thomas De Witt, of the county of Ulſter, praying a compenſation in lands for his ſervices as a captain in the 3d New-York regiment, during the late war, was read, and referred to Mr. Hatfield, Mr. Burr and Mr. Snell.

Twelve ſeveral petitions of the freeholders and inhabitants of the towns of Coxſackie, Coyemans, Freehold and Renſſelaerville, remonſtrating againſt erecting a new county from parts of the counties of Ulſter and Albany, and praying that the ſaid towns together with the town of Catſkill, may be erected into a ſeparate county, were read, and referred to the Members attending this Houſe from the county of Columbia.

A petition of Alexander I. Turner and Adonijah Skinner, of the county of Waſhington, praying the excluſive right for a term of years, of running a ſtage waggon between the village of Lanſingburgh, in the county of Renſſelaer, and Fairhaven, in the State of Vermont, was read, and referred to Mr. Maſon, Mr. Clinton and Mr. Clifft.

A meſſage from the Hon. the Senate, delivered by Mr. Graham and Mr. Haight, was read, that the Senate have paſſed the bill entitled "*An act to incorporate the ſtockholders of the United Inſurance Company,*" to which they requeſt the concurrence of this Houſe; the ſaid bill was read the firſt time and ordered a ſecond reading.

Mr. Wood, from the committee to whom was referred the petition of the Mayor, Aldermen and Commonalty of the city of New-York, reported in favor of the petitioners, and obtained leave to bring in a bill entitled "*An act relative to the duty ariſing from ſales at auction in the city of New-York,*" which was read the firſt time and ordered a ſecond reading.

Mr. Clinton, agreeable to notice by him heretofore given, moved for and obtained leave to bring in a bill entitled "*An act relative to the corporation for the relief of the widows and children of Clergymen in the communion of the Proteſtant Epiſcopal Church in America, and for inſtituting a new corporation within this State for ſimilar purpoſes;*" the ſaid bill was read the firſt time and ordered a ſecond reading.

Ordered, That Mr. Wendell be added to the committee appointed on the part of this Houſe to confer with a committee on the part of the Hon. the Senate, relative to the diſtribution of certain copies of the laws of the United States.

Mr. Clinton, from the committee of the whole Houſe, to whom was recommitted the bill entitled "*An act to amend the act entitled "An act to regulate highways,*" reported, that a clauſe in the ſaid bill was read, and is in the words following, viz.

"And be it further enacted, That whenever the ſuperintendants ſhall lay before the ſuperviſors an eſtimate of the ſums deemed neceſſary for the purpoſes in the ſaid act ſpecified, it ſhall be in the diſcretion of the ſuperviſors to cauſe to be raiſed the whole or ſuch part only of ſuch ſum as ſhall in their opinion be expedient, and that nothing in the ſaid act contained ſhall be conſtrued to give to the ſaid ſuperintendants a power to direct the amount of the ſum or ſums to be levied or collected."

That Mr. Griſwold made a motion, that the ſaid clauſe ſhould be expunged; that debates were had thereon, and the queſtion being put, whether the committee did agree to the motion of Mr. Griſwold, it paſſed in the negative in manner following, viz.

For the Negative.

Mr. Adams,	Mr. Carman,	Mr. Heermance,	Mr. Savage,
Mr. Arcularius,	Mr. Clark,	Mr. J. Hogeboom,	Mr. P. P. Schuyler,
Mr. Baldwin,	Mr. Clifft,	Mr. K. Hogeboom,	Mr. Skidmore,
Mr. Barber,	Mr. Coe,	Mr. Holly,	Mr. A. Smith,
Mr. J. Barker,	Mr. Comſtock,	Mr. Horton,	Mr. T. Smith,
Mr. T. Barker,	Mr. Deitz,	Mr. Hovey,	Mr. Storm,
Mr. W. Barker,	Mr. De la Montagnie,	Mr. Hunt,	Mr. Teed,
Mr. Bevier,	Mr. J. C. De Witt,	Mr. Lee,	Mr. Iſrael Thompſon,
Mr. Boyd,	Mr. Fairlie,	Mr. M'Cord,	Mr. Van Alſtyne,
Mr. Bruyn,	Mr. Foot,	Mr. Micheau,	Mr. Voſburgh,
Mr. Burr,	Mr. Gregory,	Mr. Reeve,	Mr. Warner,
Mr. Burt,	Mr. Halſey,	Mr. Robins,	Mr. Weſt. 50
Mr. Campbell,	Mr. Hatfield,		

For the Affirmative.

Mr. Benton,	Mr. Griſwold,	Mr. Morſe,	Mr. Speaker,
Mr. Bird,	Mr. Hall,	Mr. Ogden,	Mr. Jeſſe Thompſon,
Mr. Bowen,	Mr. Henry,	Mr. Potter,	Mr. Joel Thompſon,
Mr. Bowman,	Mr. Hoag,	Mr. Prince,	Mr. Tyler,
Mr. Brown,	Mr. Howard,	Mr. Pride,	Mr. Verplank,
Mr. Cornwell,	Mr. Jenkins,	Mr. Rice,	Mr. Wendell,
Mr. Coryell,	Mr. Maſon,	Mr. Roſs,	Mr. Wheeler,
Mr. Fonda,	Mr. M'Farlan,	Mr. J. Smith,	Mr. Williamſon,
Mr. Fort,	Mr. M'Neal,	Mr. N. Smith,	Mr. Wood. 38
Mr. Gettman,	Mr. Moffet,		

Mr. Clinton further reported, that the committee had gone through the bill, made amendments, and added clauſes, which he was directed to report to the Houſe, and

he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

Mr. Maſon, from the committee of the whole Houſe, on the bill entitled "*An act to amend the act entitled "An act for laying out lot number one, in the town of Hannibal, in the county of Onondaga, into city lots, and for other purpoſes therein mentioned,*" reported, that the committee had gone through the bill without amendment, which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

Mr. Ogden, from the committee of the whole Houſe, on the report of the committee to whom was referred the petition of Joſeph Hawkins, reported, that the committee had agreed to a reſolution in the words following, viz.

Reſolved, as the ſenſe of this committee, That the petitioner have leave to withdraw his petition; which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe. Thereupon,

Reſolved, That the petitioner have leave to withdraw his petition.

Reſolved, (if the Hon. the Senate concur herein) That the late Printer to the State be, and he is hereby directed, to tranſmit to the preſent Printer to the State, ſo many of the Laws and Journals of the laſt ſeſſion of the Legiſlature, as the ſeveral county clerks, ſuperviſors, town clerks and members of the legiſlature at their ſaid laſt ſeſſion, in the eaſtern and weſtern great diſtricts of this State are entitled to, and have not been delivered.

Ordered, That Mr. Mitchell, and Mr. Moffet, deliver a copy of the preceding reſolution to the Hon. the Senate.

The Surveyor-General purſuant to a reſolution of this houſe, directing him to report the quantity of land contained by the deſcription in the bill entitled "an act to veſt the right of the people of this State to certain lands lying in the county of Waſhington, in John Thurman," reported:

That the ſaid deſcription contained in the following words, "Beginning at the ſoutherly corner of the 24th townſhip of Jeſſup's commonly called Totten and Croſſfield's purchaſe, thence north 59 degrees eaſt along the line of ſaid townſhip to the Eaſt or Scarron branch of Hudſon's river, thence down the river as it winds and turns to the north-eaſternmoſt corner of Hyde townſhip, thence ſouth 59 degrees weſt along the line of Hyde townſhip to the middle branch of Hudſon's river, thence up the ſaid river to the place where this tract firſt began, contains the following tracts, viz.

Patented	to Charles Seherriff, &c.	October 18th, 1775,				4,000
Do.	to Francis Panten, &c.	do.	-	-	-	2,000
Do.	to James Rogers, &c.	do.	-	-	-	600
Do.	to Jeremiah Chicheſter, &c.	do.	-	-	-	250
Not patented, about		-	-	-	-	3000
					Acres,	9,850

Making in the whole about nine thouſand eight hundred and fifty acres, and the uſual allowance for highways.

All which is reſpectfully ſubmitted.

SIMEON DE WITT, *Surveyor General.*

February 12th, 1798.

Ordered, That the ſaid report be committed to a committee of the whole houſe, when on the ſaid bill.

The attorney general to whom was referred the remonſtrance of Melancton L. Woolſey and others, reported:

The remonſtrance repreſents, That the money appropriated by the act entitled, "an act for laying out and improving certain public roads and highways, within this State," paſſed 10th of April, 1792, for improving the public roads and highways in the eaſtern diſtrict of this State, has in many inſtances been improperly expended,

particularly in the manner of erecting the bridge over the River Saranac, in the town of Plattſbourgh, in the county of Clinton.

By the ſecond ſection of the above mentioned act, all bridges to be conſtructed in purſuance thereof, are directed to be ſo conſtructed or erected by contract, in every caſe where contracts for the ſame can be made, and in caſes where contracts for that purpoſe cannot be effected, in ſuch manner as to the ſeveral boards of commiſſioners appointed by the ſame act, ſhall appear moſt eligible, and beſt calculated to promote the public intereſt. It has been ſtated that a contract was made with the commiſſioners of the Eaſtern Diſtrict, for erecting the bridge in queſtion, in a manner correſpondent with the ſpirit and object of the ſaid act, and that the ſaid contract has not been performed. It can only be neceſſary to remark, that the law is competent to enforce a compliance with the terms of ſuch contract, and that it is the duty of the ſaid commiſſioners to proſecute the defaulter, to the end that the ſaid bridge may be completed in the manner ſtipulated by the contract, and agreeable to the intention of the Legiſlature.

If the commiſſioners have unfaithfully executed the truſt repoſed in them by law, they are liable to proſecution, and on a proper communication of facts to the Attorney-General, it will, in ſuch caſe, become his official duty to inſtitute and conduct ſuch proſecution. It would therefore, in the opinion of the Attorney-General, be inexpedient for the Legiſlature at *preſent*, to make any order in the premiſes.

All which is reſpectfully ſubmitted.

JOSIAH OGDEN HOFFMAN.

February 13*th*, 1798.

Reſolved, That this Houſe do agree with the Attorney-General in his ſaid report.

Then the Houſe adjourned until eleven o'clock to-morrow morning.

Wedneſday, eleven o'clock, A. M. February 14*th*, 1798.

The bill entitled "*An act relative to the corporation for the relief of the widows and children of Clergymen in the communion of the Proteſtant Epiſcopal Church in America, and for inſtituting a new corporation within this State for ſimilar purpoſes,*" the bill entitled "*An act to incorporate the ſtockholders of the United Inſurance Company in the city of New-York,*" and the bill entitled "*An act relative to the duty ariſing from ſales at auction in the city of New-York,*" were ſeverally read a ſecond time and committed to a committee of the whole Houſe.

A petition of Nathan Merritt, of the county of Fairfield, and State of Connecticut, in behalf of himſelf and the other creditors of Thomas Merritt, formerly of Rye, in the county of Weſtcheſter, relative to the property of the ſaid Thomas Merritt, which remains unſold by the commiſſioners of forfeitures, was read and referred to the Attorney-General.

Mr. Clifft obtained leave of abſence for eight days.

Mr. Gregory, from the committee to whom was referred the petition of Sidney Berry and others, reported in favor of the petitioners, and obtained leave to bring in a bill entitled "*An act for dividing the town of Saratoga,*" which was read the firſt time and ordered a ſecond reading.

Mr. M'Farlan, purſuant to notice by him for that purpoſe heretofore given, moved for and obtained leave to bring in a bill entitled "*An act veſting all the right and title of the people of this State of, in and to all the real eſtate whereof John Breadbake died ſeized, in Anna Breadbake, his widow,*" which was read the firſt time and ordered a ſecond reading.

Mr. Mitchell purſuant to notice by him for that purpoſe heretofore given, moved for and obtained leave to bring in a bill entitled "*An act for the appointment of a treaſurer,*" which was read the firſt time and ordered a ſecond reading.

Mr. Wood from the joint committee of the Senate and Aſſembly appointed to conſider and report whether any and what alterations ſhould be made in the treaſury of this State, reported, that the committee were of opinion that certain alterations were neceſſary, and had prepared a bill, which he was directed to move for leave to bring in; leave being given accordingly, Mr. Wood brought in the ſaid bill entitled "*An act relative to the treaſury of this State,*" which was read the firſt time and ordered a ſecond reading.

Purſuant to the order of the day, the Houſe proceeded to the conſideration of the meſſage of his Excellency the Governor of the 31ſt Jan. laſt, and the papers accompanying the ſame; Mr. Wood made a motion that the Houſe ſhould agree to a reſolution with a recital in the words following, viz.

"Whereas the State of New-York does not acknowledge the claim of Connecticut to any lands in this State, and whereas this State has full confidence in the impartiality, knowledge and integrity of the judiciary of the United States in regard to any ſuit commenced, or which may hereafter be commenced, which involves the claim of the people of Connecticut to any lands in this State: therefore,

Reſolved, That it would be improper for this State to appoint commiſſioners to treat or confer with commiſſioners on the part of Connecticut relative to the diſpute in queſtion.

Mr. Speaker put the queſtion whether the Houſe did agree to the ſaid reſolution, and it was carried in the affirmative in the manner following, viz.

For the Affirmative.

Mr. Adams,
Mr. Arcularius,
Mr. Baldwin,
Mr. Barber,
Mr. J. Barker,
Mr. T. Barker,
Mr. Bird,
Mr. Bevier,
Mr. Bowen,
Mr. Boyd,
Mr. Brown,
Mr. Burling,
Mr. Burt,
Mr. Carman,
Mr. Clark,
Mr. Clinton,
Mr. Coe,
Mr. Comſtock,
Mr. Cornwell,
Mr. Coryell,
Mr. Deitz,
Mr. De la Montagnie,
Mr. J. C. De Witt,
Mr. Fonda,
Mr. Gettman,
Mr. Gray,
Mr. Gregory,
Mr. Halſey,
Mr. Hatfield,
Mr. Hoag,
Mr. J. Hogeboom,
Mr. K. Hogeboom,
Mr. Holly,
Mr. Holt,
Mr. Horton,
Mr. Hovey,
Mr. Howard,
Mr. Hunt,
Mr. Jenkins,
Mr. Lee,
Mr. Maſon,
Mr. M'Farlan,
Mr. Micheau,
Mr. Moſſet,
Mr. Ogden,
Mr. Pearſall,
Mr. Potter,
Mr. Prince,
Mr. Pride,
Mr. Reeve,
Mr. Rice,
Mr. Robins,
Mr. Roſs,
Mr. Savage,
Mr. P. P. Schuyler,
Mr. Skidmore,
Mr. A. Smith,
Mr. J. Smith,
Mr. N. Smith,
Mr. Snell,
Mr. Teed,
Mr. Thomas,
Mr. Jeſſe Thompſon,
Mr. Iſrael Thompſon,
Mr. Joel Thompſon,
Mr. Tyler,
Mr. Vandervoort,
Mr. Van Alſtyne,
Mr. Verplank,
Mr. Warner,
Mr. Wendell,
Mr. Weſt,
Mr. Wheeler,
Mr. Williamſon,
Mr. Wood. 75

For the Negative.

Mr. W. Barker,
Mr. Benton,
Mr. Bowman,
Mr. Fairlie,
Mr. Foot,
Mr. Fort,
Mr. Griſwold,
Mr. Hall,
Mr. Heermance,
Mr. Henry,
Mr. M'Cord,
Mr. M'Neal,
Mr. Mitchell,
Mr. Ten Broeck,
Mr. Voſburgh. 15

A meſſage from his Excellency the Governor, delivered by his private ſecretary, was read, and is in the words following, viz.

GENTLEMEN,

Two chiefs of the Tuſcarora tribe of Indians arrived here yeſterday on their way to Philadelphia. They are deputed by their tribe to wait on the Preſident of the United States, and to ſubmit to him certain matters, of which mention is made in the paper which accompanies this meſſage, and which I communicate for your information.

They repreſent to me that their expenſes on the road have exceeded their expectations, and ſolicit pecuniary aid to enable them to proſecute their journey. Applications of this kind are from time to time to be expected. The Indians being hoſpitable themſelves, naturally expect hoſpitality from others, eſpecially from this State, whoſe early and uniform profeſſions, and conduct towards them, leave them no reaſon to queſtion it. I doubt the propriety of frequent meſſages of this nature, and therefore ſubmit to your conſideration whether it would not be adviſable to authorize ſome perſon reſident in this city, and well acquainted with the former and accuſtomed manner of receiving and entertaining Indians on ſuch occaſions, to make ſuch proviſion for theſe and ſimilar viſitants, as may be conformable to the long eſtabliſhed uſage of the State in theſe reſpects.

JOHN JAY.

ALBANY, *February 14th*, 1798.

Ordered, That the meſſage of his Excellency the Governor and papers accompanying the ſame be committed to a committee conſiſting of Mr. P. P. Schuyler, Mr. Williamſon and Mr. Gettman.

Reſolved, (if the Hon. the Senate concur herein) that his Excellency the Governor be authorized to take order for ſupplying the Tuſcarora Indians now in this city on their way to the ſeat of government of the United States, with ſuch ſum of money as

may in his opinion be neceſſary to defray the expenſes of their journey, and that the Legiſlature will make proviſion for the payment of the ſame.

Ordered, That Mr. Mitchell and Mr. Moffet deliver a copy of the preceding reſolution to the Hon. the Senate.

A meſſage from the Hon. the Senate, delivered by Mr. Haight and Mr. Hatfield, with the bill therein mentioned, was read, that the Senate do recede from their reſolution of non-concurrence, and do concur in the amendments of this Houſe to the bill entitled "*An act to amend an act entitled "An act concerning Sheriffs and the ſervice and return of proceſs,*" and have amended the ſame accordingly.

Ordered, That Mr. Moffet and Mr. Morſe return the bill to the Hon. the Senate.

A meſſage from the Hon. the Senate alſo delivered by Mr. Haight and Mr. Hatfield, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "*An act providing for the expenſe of the Health-Office in the city of New-York,*" with the amendments therewith delivered.

Ordered, That the conſideration of the ſaid amendments be poſtponed.

The Hon. the Senate returned by Mr. Haight and Mr. Hatfield, the bill entitled "*An act concerning the auditing and allowance of certain public accounts.*"

Ordered, That Mr. Morſe and Mr. Ogden deliver the bill to the Hon. the Council of Reviſion.

Mr. Fairlie from the committee of the whole Houſe on the bill entitled "*An act to incorporate that part of the patent Schenectady therein mentioned,*" reported progreſs, and obtained leave to ſit again.

Then the Houſe adjourned until ten o'clock to-morrow morning.

Thurſday, ten o'clock, A. M. February 15th, 1798.

The engroſſed bill entitled "*An act to amend the act entitled "An act to regulate high-ways,*" was read the third time.

Reſolved, That the bill do paſs.

The engroſſed bill entitled "*An act to amend the act entitled "An act for laying out lot number one, in the town of Hannibal, in the county of Onondaga, into city lots, and for other purpoſes therein mentioned,*" was read the third time.

Reſolved, That the bill do paſs.

Ordered, That Mr. Moffet and Mr. Morſe deliver the two laſt mentioned bills to the Hon. the Senate, and requeſt their concurrence.

The bill entitled "*An act relative to the treaſury of this State;*" the bill entitled "*An act veſting all the right and title of the people in this State of, in and to all the real eſtate whereof John Breadbake died ſeized, in Anna Breadbake, his widow;*" the bill entitled "*An act for the appointment of a Treaſurer,*" and the bill entitled "*An act for dividing the town of Saratoga,*" were ſeverally read the ſecond time and committed to a committee of the whole Houſe.

A petition of John Taylor and others, inhabitants of the county of Saratoga, praying a reviſion of the law for the ſuppreſſion of vice and immorality, was read and referred to the committee of the whole Houſe, when on the bill entitled "*An act to prevent the profanation of the Sabbath.*"

A petition of Joſeph Brown and others, proprietors of land taken for a highway in the town of Weſtcheſter, praying that they may be authorized by law to raiſe a ſum of money by lottery, for the purpoſe of indemnifying the loſſes and damages they have ſuſtained by reaſon of the ſaid road, was read and referred to Mr. P. I. Schuyler, Mr. Bowman and Mr. Williamſon.

Eight ſeveral petitions of the inhabitants of the towns of Wallkill, New-Windſor, New-Marlborough and Newburgh, praying that the ſaid towns and the towns of Shawangunk, Montgomery and Mamakating, together with all that part of the county of Orange, north of the mountains, may be erected into a ſeparate county, was read and referred to Mr. Bird, Mr. Adams, Mr. J. Smith, Mr. Hall and Mr. Foot.

Mr. Maſon, from the committee to whom was referred the petition of Marinus Willett, in behalf of himſelf and certain officers under his command, and the report of the Attorney-General thereon, reported:

That the ſaid Marinus Willett having been a Lieutenant-Colonel Commandant on the continental eſtabliſhment, was on the 31ſt day of December, 1780, deranged, and left the ſervice, and became thereby entitled to lands as a Lieutenant-Colonel

Commandant. That by a law of 20th March, 1781, two regiments were directed to be raiſed on bounties of unappropriated lands: That warrants were thereupon iſſued to certain officers, authorizing them to enliſt men, and promiſing them commiſſions, according to the grade expreſſed, and a ſpecified bounty in lands on the enliſtment of a given number of men: That the ſaid Marinus Willett was, in the year 1781, appointed to take command of the two regiments ſo intended to be raiſed: That very few men having been procured in the mode propoſed, the levies then in ſervice were alſo put under the command of the ſaid Marinus Willett: That on 27th March, 1782, the time for procuring men in the manner preſcribed in the act firſt mentioned, was prolonged: That the ſaid Marinus Willett and a number of the officers bearing ſuch warrants, finding it impoſſible to procure the men in the mode propoſed, induced certain patriotic gentlemen to aſſociate, contribute a ſum of money, and take an aſſignment of the ſoldiers' lands. Thus the men were in fact raiſed on bounties of money and not of land; and hence it has been imagined that in ſtrict law the officers did not become entitled to the propoſed gratuities; but it is to be noted, that the men were *indirectly* raiſed on land bounties. The State was equally benefited, and the officers performed, in effect, the ſervice aſſigned: That by reaſon of the difficulties in procuring enliſtments, the corps ſo commanded by Col. Willett, did not aſſume the form and appellation intended by the ſaid acts, until the 1ſt January, 1783, from which period they were muſtered, cloathed and paid by the United States as "*the New-York State Regiment.*" That on the 27th June, 1783, a new arrangement of this corps was projected, and certain of thoſe officers directed to be commiſſioned; but that ſuch arrangements did not take effect until the 1ſt day of November following; and that the whole corps was, on the 24th of December, in the ſame year, directed to be diſbanded.

That all the officers of the regiment then commanded by Col. Willett, have received bounties of lands, except Captains Harriſon and Conner, and Lieutenants Hutton, Trotter, Trempar and Campbell. That the officers laſt mentioned, performed the ſame ſervices, in ſome inſtances more important and laborious, in ſome of much longer, and none of leſs duration, excepting the few weeks which elapſed from the 1ſt day of November to the 24th December, during which period the troops were conſidered as a burthen and an uſeleſs expenſe, as appears from the minutes of Council of the laſt mentioned date.

That the ſervices for which the officers of that corps received bounties, were all performed ſubſequent to the 31ſt December, 1780; and that therefore, the claims which any officer may have had for prior ſervices, are wholly irrelevant to the conſideration of the ſubject, eſpecially as it might have happened that all the officers appointed by the reſolution of the 24th June might have been of the deranged. One inſtance has been proved to the committee, and they deem it probable that many others exiſt. Seeing there exiſted no troops under the denomination of levies after December, 1782, the allowance of the preſent claim can eſtabliſh no precedent, nor generate any pretence in favor of officers of the levies.

Your committee are therefore of opinion, that the ſaid Marinus Willett and the ſix officers before named, are within the ſpirit and intent of the reſolutions, and acts, allowing bounties of land; and that an act ought to be paſſed, directing the commiſſioners of the land-office to grant to them according to their reſpective grades: That the committee have prepared a bill for this purpoſe, and have directed their chairman to move for leave to bring it in; leave being given accordingly, Mr. Maſon brought in the ſaid bill, entitled "*An act for the relief of certain officers of the regiment of State troops, commanded by Col. Marinus Willett,*" which was read the firſt time and ordered a ſecond reading.

Mr. Benton, from the committee to whom was referred the petition of William Cockburn, together with the report of the Surveyor-General thereon, reported in favor of the petitioner, and obtained leave to bring in a bill entitled "*An act for the relief of William Cockburn,*" which was read the firſt time and ordered a ſecond reading.

Mr. Mitchell, from the committee to whom was referred the petition of David Williamſon and George Gray, together with the report of the Attorney-General thereon, reported in favor of the petitioners, and obtained leave to bring in a bill en-

titled "*An act for disposing of the real estate whereof Charles I. Brannon died seized,*" which was read the first time and ordered a second reading.

Mr. Griswold, from the committee to whom was referred the petition of Herman Behrens, together with the report of the Attorney-General thereon, reported in favor of the petitioner, and obtained leave to bring in a bill entitled "*An act for the relief of the heirs of Albrecht Behrens, deceased,*" which was read the first time and ordered a second reading.

Mr. Robins, from the committee to whom was referred the petition of the Directors of the Mutual Assurance Company of the city of New-York, reported in favor of the petitioners, and obtained leave to bring in a bill entitled "*An act to incorporate the Mutual Assurance Company of the city of New-York,*" which was read the first time and ordered a second reading.

Mr. K. Hogeboom, from the committee to whom was referred the petition of Clement Saidler, and the report of the Surveyor-General thereon, reported, That the determination of the propriety and justice of the petitioner's claim, will involve questions of law: The committee are therefore of opinion, that the said petition and papers accompanying the same, should be referred to the Attorney-General; which report was agreed to by the House. Thereupon,

Ordered, That the said petition and papers accompanying the same be referred to the Attorney-General.

Mr. Bowen pursuant to notice by him for that purpose heretofore given, moved for and obtained leave to bring in a bill entitled "*An act for dividing the town of Norway in the county of Herkemer,*" which was read the first time and ordered a second reading.

The Comptroller to whom was referred the petition of Samuel Avery and Luke Knoulton, reported:

That in the year 1771, Daniel Whipple and his associates applied to the then government of the then province of New-York, for a grant of forty thousand acres of land situated in the then county of Albany, now in the State of Vermont; that in September, 1774, an order was obtained for issuing letters patent for the land to the applicants: but before it was done Whipple died, which put a stop to the proceedings. That upon application to the Governor and Council, they ordered the name of the petitioner, Samuel Avery, to be inserted in the grant instead of Daniel Whipple. That letters patent were afterwards issued, bearing date the 28th October, 1775. That by the constitution of this State, all grants of land made by the former government after the 8th October, 1775, are declared to be void.

The petitioners state that the fees to the government amounted to 500l. and that by the death of Whipple and other accidents they were under the necessity of going over the proceeding three several times, and paying some of the officers of government their fees two or three times over. That the patent being made void by the constitution of this State, the commissioners appointed to hear and determine claims to lands in the State of Vermont, under grants from the late colony of New-York, have informed the petitioners that they cannot consider them as entitled to any part of the money to be distributed among the claimants. And therefore the petitioners pray the Legislature to grant them relief.

The patent under which the petitioners claim is clearly void, and they must depend upon the State for relief. How far it would be just to give them a proportion of the money paid by the State of Vermont into the treasury of this State, and thereby lessen the shares of the claimants under legal grants, or proper to give them an equivalent compensation, must be left to the wisdom and discretion of the Legislature.

All which is respectfully submitted.

SAMUEL JONES, *Comptroller.*

ALBANY, *February 13th*, 1798.

Ordered, That the said report and petition be referred to Mr. Brown, Mr. Cornwell and Mr. M'Neal.

A copy of a resolution of the Hon. the Senate, delivered by Mr. Hatfield and Mr. Jones, was read, that the Senate do concur with this House in their resolution as entered on the Journals of yesterday, authorizing his Excellency the Governor to

take order for ſupplying the Tuſcarora Indians, now in this city, on their way to the ſeat of government of the United States, with money to defray the expenſes of their journey.

A copy of a reſolution of the Hon. the Senate, alſo delivered by Mr. Hatfield and Mr. Jones, was read, that the Senate do concur with this Houſe in their reſolution as entered on the Journals of the 13th inſt. directing the late Printer to the State to tranſmit to the preſent Printer to the State ſo many of the Laws and Journals of the laſt ſeſſion as the ſeveral County Clerks, Superviſors, Town Clerks and Members of the Legiſlature, at their ſaid laſt ſeſſion, in the Eaſtern and Weſtern Great Diſtricts of this State, are entitled to, and have not been delivered.

The Houſe proceeded to the conſideration of the amendments of the Hon. the Senate to the bill entitled "*An act providing for the expenſe of the Health-Office in the city of New-York;*" the bill and amendments were read, and the amendments being read a ſecond time; thereupon,

Reſolved, That this Houſe do not concur in the firſt amendment, and do concur in the other amendment to the ſaid bill.

Ordered, That Mr. Moffet and Mr. Morſe deliver the bill, amendments, and a copy of the preceding reſolution, to the Hon. the Senate.

Mr. De la Montagnie, from the committee of the whole Houſe, on the bill entitled "*An act to prevent the profanation of the Sabbath,*" reported the proceedings of the committee to have been as follows, viz.

That after the firſt paragraph in the firſt enacting clauſe of the ſaid bill had been read, Mr. Storm made a motion that the committee ſhould agree to inſert a clauſe after the word "*committed,*" in the 11th line of the ſaid paragraph, in the words following, viz.

"And be it further enacted, That if any perſon or perſons, keeping a horſe and carriage, or horſes and carriages, or either of them, to hire out, or let, and ſhall ſuffer them, or either of them, to be uſed in travelling or riding for pleaſure on ſaid day, he or they ſo offending, ſhall, for every ſuch offence, forfeit and pay the ſum of ———."

That debates were had thereon, and the queſtion being put, whether the committee did agree thereto, it was carried in the affirmative in the manner following, viz.

For the Affirmative.

Mr. Arcularius,	Mr. Comſtock,	Mr. Lee,	Mr. Storm,
Mr. Baldwin,	Mr. Cornwell,	Mr. M'Cord,	Mr. Speaker,
Mr. Barber,	Mr. Coryell,	Mr. M'Neal,	Mr. Teed,
Mr. T. Barker,	Mr. Deitz,	Mr. Pride,	Mr. Ten Broeck,
Mr. Benton,	Mr. J. C. De Witt,	Mr. Reeve,	Mr. Joel Thompſon,
Mr. Bowen,	Mr. Foot,	Mr. Robins,	Mr. Tyler,
Mr. Bowman,	Mr. Gettman,	Mr. Roſs,	Mr. Van Alſtyne,
Mr. Boyd,	Mr. Gregory,	Mr. Savage,	Mr. Voſburgh,
Mr. Bruyn,	Mr. Hatfield,	Mr. P. I. Schuyler,	Mr. Warner,
Mr. Burt,	Mr. Heermance,	Mr. P. P. Schuyler,	Mr. Wendell,
Mr. Clark,	Mr. Henry,	Mr. Skidmore,	Mr. Weſt,
Mr. Clinton,	Mr. Howard,	Mr. T. Smith,	Mr. Wheeler,
Mr. Coe,	Mr. Hunt,	Mr. Snell,	Mr. Wood. 52

For the Negative.

Mr. Adams,	Mr. Fort,	Mr. Horton,	Mr. Potter,
Mr. J. Barker,	Mr. Gray,	Mr. Hovey,	Mr. Rice,
Mr. Bird,	Mr. Griſwold,	Mr. Jenkins,	Mr. A. Smith,
Mr. Bevier,	Mr. Halſey,	Mr. Maſon,	Mr. J. Smith,
Mr. Brown,	Mr. Hoag,	Mr. M'Farlan,	Mr. N. Smith,
Mr. Carman,	Mr. J. Hogeboom,	Mr. Micheau,	Mr. Thomas,
Mr. J. A. De Witt,	Mr. K. Hogeboom,	Mr. Moffet,	Mr. Jeſſe Thompſon,
Mr. Fairlie,	Mr. Holly,	Mr. Ogden,	Mr. Iſrael Thompſon,
Mr. Fonda,	Mr. Holt,	Mr. Pearſall,	Mr. Verplank. 36

That Mr. Foot then made a motion that the committee ſhould agree to inſert after the word "*no*" in the ſecond line of the ſaid firſt paragraph, the following words, "*aſſembling for merriment or vain recreation, nor,*" that the queſtion being put whether the committee did agree thereto, it paſſed in the negative in the manner following, viz.

For the Negative.

Mr. Arcularius,	Mr. Deitz,	Mr. Hunt,	Mr. J. Smith,
Mr. Baldwin,	Mr. J. A. De Witt,	Mr. Jenkins,	Mr. Snell,
Mr. Barber,	Mr. J. C. De Witt,	Mr. Lee,	Mr. Storm,
Mr. J. Barker,	Mr. Fairlie,	Mr. Maſon,	Mr. Speaker,
Mr. T. Barker,	Mr. Fonda,	Mr. M'Cord,	Mr. Teed,
Mr. W. Barker,	Mr. Fort,	Mr. M'Farlan,	Mr. Ten Broeck,
Mr. Benton,	Mr. Gettman,	Mr. Micheau,	Mr. Thomas,
Mr. Bevier,	Mr. Gray,	Mr. Moffet,	Mr. Jeſſe Thompſon,
Mr. Bowen,	Mr. Gregory,	Mr. Pearſall,	Mr. Iſrael Thompſon,
Mr. Bowman,	Mr. Halſey,	Mr. Potter,	Mr. Joel Thompſon,
Mr. Brown,	Mr. Hatfield,	Mr. Pride,	Mr. Tyler,
Mr. Bruyn,	Mr. Heermance,	Mr. Rice,	Mr. Van Alſtyne,
Mr. Burt,	Mr. Henry,	Mr. Robins,	Mr. Verplank,
Mr. Carman,	Mr. J. Hogeboom,	Mr. Roſs,	Mr. Voſburgh,
Mr. Clark,	Mr. K. Hogeboom,	Mr. Savage,	Mr. Warner,
Mr. Clinton,	Mr. Holly,	Mr. P. I. Schuyler,	Mr. Wendell,
Mr. Coe,	Mr. Holt,	Mr. P. P. Schuyler,	Mr. Weſt,
Mr. Comſtock,	Mr. Horton,	Mr. Skidmore,	Mr. Wheeler,
Mr. Cornwell,	Mr. Hovey,	Mr. A. Smith,	Mr. Wood. 79
Mr. Coryell,	Mr. Howard,	Mr. T. Smith,	

For the Affirmative.

Mr. Adams,	Mr. Griſwold,	Mr. Hoag,	Mr. Reeve,
Mr. Bird,	Mr. Hall,	Mr. Ogden,	Mr. N. Smith, 9
Mr. Foot,			

That Mr. Griſwold made a motion that the committee ſhould agree to inſert after the word "*State*" and the word "*or*" in the 6th line, the following words, "*between the riſing and ſetting of the ſun,*" that the queſtion being put whether the committee did agree thereto, it paſſed in the negative in the manner following, viz.

For the Negative.

Mr. Adams,	Mr. Coe,	Mr. M'Cord,	Mr. Snell,
Mr. Arcularius,	Mr. Comſtock,	Mr. M'Neal,	Mr. Storm,
Mr. Baldwin,	Mr. Cornwell,	Mr. Micheau,	Mr. Speaker,
Mr. Barber,	Mr. Dietz,	Mr. Mitchell,	Mr. Teed,
Mr. T. Barker,	Mr. J. A. De Witt,	Mr. Moffet,	Mr. Ten Broeck,
Mr. W. Barker,	Mr. J. C. De Witt,	Mr. Pearſall,	Mr. Iſrael Thompſon,
Mr. Bowen,	Mr. Fonda,	Mr. Reeve,	Mr. Verplank,
Mr. Bowman,	Mr. Gettman,	Mr. Robins,	Mr. Voſburgh,
Mr. Boyd,	Mr. Grey,	Mr. Savage,	Mr. Warner,
Mr. Bruyn,	Mr. Hatfield,	Mr. P. P. Schuyler,	Mr. Wendell,
Mr. Burt,	Mr. Heermance,	Mr. Skidmore,	Mr. Weſt,
Mr. Carman,	Mr. Holly,	Mr. A. Smith,	Mr. Wheeler,
Mr. Clark,	Mr. Lee,	Mr. T. Smith,	Mr. Wood. 52

For the Affirmative.

Mr. J. Barker,	Mr. Griſwold,	Mr. Hovey,	Mr. Roſs,
Mr. Benton,	Mr. Hall,	Mr. Howard,	Mr. P. I. Schuyler,
Mr. Bird,	Mr. Halſey,	Mr. M'Farlan,	Mr. J. Smith,
Mr. Bevier,	Mr. Henry,	Mr. Ogden,	Mr. N. Smith,
Mr. Brown,	Mr. Hoag,	Mr. Potter,	Mr. Thomas,
Mr. Coryell,	Mr. J. Hogeboom,	Mr. Prince,	Mr. Jeſſe Thompſon,
Mr. Fairlie,	Mr. K. Hogeboom,	Mr. Pride,	Mr. Joel Thompſon,
Mr. Foot,	Mr. Holt,	Mr. Rice,	Mr. Van Alſtyne. 34
Mr. Fort,	Mr. Horton,		

That Mr. Bird made a motion that the committee ſhould agree to ſtrike out the word "*or*" in the 6th line, and inſert the words "*from ſun-ſetting on Saturday night until 12 o'clock on Sunday night,*" that the queſtion being put whether the committee did agree thereto, it paſſed in the negative in the manner following, viz.

For the Negative.

Mr. Adams,	Mr. Cornwell,	Mr. M'Cord,	Mr. Storm,
Mr. Arcularius,	Mr. Deitz,	Mr. M'Farlan,	Mr. Speaker,
Mr. Baldwin,	Mr. J. A. De Witt,	Mr. Micheau,	Mr. Teed,
Mr. Barber,	Mr. J. C. De Witt,	Mr. Mitchell,	Mr. Ten Broeck,
Mr. J. Barker,	Mr. Foot,	Mr. Potter,	Mr. Thomas,
Mr. T. Barker,	Mr. Gray,	Mr. Pride,	Mr. Jeſſe Thompſon,
Mr. W. Barker,	Mr. Gregory,	Mr. Reeve,	Mr. Iſrael Thompſon,
Mr. Bevier,	Mr. Hall,	Mr. Rice,	Mr. Joel Thompſon,
Mr. Bowen,	Mr. Hatfield,	Mr. Robins,	Mr. Van Alſtyne,
Mr. Bowman,	Mr. Heermance,	Mr. Roſs,	Mr. Verplank,
Mr. Boyd,	Mr. Holly,	Mr. Savage,	Mr. Voſburgh,
Mr. Bruyn,	Mr. Holt,	Mr. P. P. Schuyler,	Mr. Warner,
Mr. Burt,	Mr. Horton,	Mr. Skidmore,	Mr. Wendell,
Mr. Carman,	Mr. Hovey,	Mr. A. Smith,	Mr. Weſt,
Mr. Clark,	Mr. Howard,	Mr. T. Smith,	Mr. Wheeler,
Mr. Clinton,	Mr. Jenkins,	Mr. J. Smith,	Mr. Williamſon,
Mr. Coe,	Mr. Lee,	Mr. N. Smith,	Mr. Wood. 71
Mr. Comſtock,	Mr. Maſon,	Mr. Snell,	

For the Affirmative.

Mr. Benton,	Mr. Fairlie,	Mr. Halſey,	Mr. K. Hogeboom,
Mr. Bird,	Mr. Gettman,	Mr. Hoag,	Mr. Hunt,
Mr. Brown,	Mr. Griſwold,	Mr. J. Hogeboom,	Mr. Prince. 12

That Mr. Fairlie made a motion that the committee ſhould agree to inſert after the word "*State,*" in the 6th line, the following words, "*between the hours of nine and twelve in the forenoon, and two and five in the afternoon,*" that the queſtion being put thereon, it paſſed in the negative in the manner following, viz.

For the Negative.

Mr. Adams,	Mr. Coryell,	Mr. Hunt,	Mr. Snell,
Mr. Arcularius,	Mr. Deitz,	Mr. Lee,	Mr. Storm,
Mr. Baldwin,	Mr. J. A. De Witt,	Mr. M'Cord,	Mr. Speaker,
Mr. Barber,	Mr. J. C. De Witt,	Mr. M'Farlan,	Mr. Teed,
Mr. J. Barker,	Mr. Fonda,	Mr. Micheau,	Mr. Ten Broeck,
Mr. T. Barker,	Mr. Foot,	Mr. Mitchell,	Mr. Thomas,
Mr. W. Barker,	Mr. Fort,	Mr. Moſſet,	Mr. Jeſſe Thompſon,
Mr. Bevier,	Mr. Gettman,	Mr. Pride,	Mr. Iſrael Thompſon,
Mr. Bowen,	Mr. Gray,	Mr. Reeve,	Mr. Joel Thompſon,
Mr. Bowman,	Mr. Gregory,	Mr. Rice,	Mr. Van Alſtyne,
Mr. Boyd,	Mr. Hall,	Mr. Robins,	Mr. Verplank,
Mr. Bruyn,	Mr. Halſey,	Mr. Roſs,	Mr. Voſburgh,
Mr. Burt,	Mr. Hatfield,	Mr. Savage,	Mr. Warner,
Mr. Carman,	Mr. Heermance,	Mr. P. P. Schuyler,	Mr. Wendell,
Mr. Clark,	Mr. Henry,	Mr. Skidmore,	Mr. Weſt,
Mr. Clinton,	Mr. J. Hogeboom,	Mr. A. Smith,	Mr. Wheeler,
Mr. Coe,	Mr. Holly,	Mr. J. Smith,	Mr. Wood. 71
Mr. Comſtock,	Mr. Hovey,	Mr. T. Smith,	

For the Affirmative.

Mr. Benton,	Mr. Fairlie,	Mr. K. Hogeboom,	Mr. Prince,
Mr. Bird,	Mr. Griſwold,	Mr. Jenkins,	Mr. N. Smith,
Mr. Brown,	Mr. Hoag.	Mr. Ogden,	Mr. Williamſon. 12

Mr. De la Montagnie reported further progreſs, and obtained leave to ſit again.

Ordered, That it be the order of the day for to-morrow for this Houſe to go into committee of the whole Houſe on the bill entitled "*An act making alterations in the act entitled "An act for defraying the public and neceſſary charges in the reſpective counties of this State.*"

Then the Houſe adjourned until ten o'clock to-morrow morning.

Friday, ten o'clock, A. M. February 16th, 1798.

The bill entitled "*An act for dividing the town of Norway in the county of Herkemer,*" the bill entitled "*An act for the relief of certain officers of the regiment of State troops commanded by Col. Marinus Willett,*" the bill entitled "*An act for diſpoſing of the real eſtate whereof Charles I. Brannon died ſeized,*" the bill entitled "*An act for the relief of the heirs of Albrecht Behrens, deceaſed,*" the bill entitled "*An act for the relief of William Cockburn,*" and the bill entitled "*An act to incorporate the Mutual Aſſurance Company in the city of New-York,*" were ſeverally read the ſecond time and committed to a committee of the whole Houſe.

A petition of Jeſſe Brown and others, relative to the lands in Brothertown, was read, and referred to Mr. Tyler, Mr. Brown and Mr. Potter.

A petition of Solomon Van Renſſelaer, praying to be appointed to the office of Treaſurer of this State, was read, and committed to a committee of the whole Houſe when on the bill entitled "*An act for the appointment of a Treaſurer.*"

A petition of Matthew Bryce and James Bryce, and a petition of Thomas Morgan and D'Arcy Boulton, aliens, praying to be enabled by law to purchaſe and hold real eſtates within this State, were ſeverally read, and committed to the committee of the whole Houſe when on the bill entitled "*An act to enable certain perſons therein named to purchaſe and hold real eſtates within this State.*"

Mr. J. Hogeboom from the committee to whom were referred the ſeveral petitions of the inhabitants of the county of Albany, and of Woodſtock in the county of Ulſter, reported in favor of the petitioners, and obtained leave to bring in a bill entitled "*An act to erect part of the counties of Albany and Ulſter into a ſeparate county,*" which was read the firſt time and ordered a ſecond reading.

Mr. P. P. Schuyler from the committee to whom was referred the petition of John Gates, reported in favor of the petitioner, and obtained leave to bring in a bill enti-

tled "*An act to extend the powers of the inſpector of ſoal-leather in the city of Albany,*" which was read the firſt time and ordered a ſecond reading.

Mr. Rice from the committee to whom was referred the petition of the ſupervisors of the county of Schoharie, reported in favor of the petitioners, and obtained leave to bring in a bill entitled "*An act for building a court-houſe and gaol in the county of Schoharie,*" which was read the firſt time and ordered a ſecond reading.

Mr. Burr from the committee to whom was referred the petition of Herman Le Roy and others, reported in favor of the petitioners, and obtained leave to bring in a bill entitled "*An act ſupplementary to the two acts therein mentioned,*" which was read the firſt time and ordered a ſecond reading.

Mr. Griſwold, from the committee to whom was referred the petition of the executors of Robert C. Livingſton, deceaſed, together with the report of the Attorney-General thereon, reported in favor of the petitioners, and obtained leave to bring in a bill entitled "*An act for the relief of the repreſentatives of Robert Cambridge Livingſton, deceaſed,*" which was read the firſt time and ordered a ſecond reading.

Mr. Clinton, purſuant to notice by him for that purpoſe heretofore given, moved for and obtained leave to bring in a bill entitled "*An act to prevent an unneceſſary accumulation of papers in the public offices,*" which was read the firſt time and ordered a ſecond reading.

A meſſage from the Hon. the Senate, delivered by Mr. Jones and Mr. L'Hommedieu, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "*An act ſupplementary to the act entitled "An act relative to the acknowledgment of deeds,*" paſſed 11th February, 1797, with the amendments therewith delivered.

Ordered, That the conſideration of the ſaid amendments be poſtponed.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Jones and Mr. L'Hommedieu, with the bill therein mentioned, was read, that the Senate do recede from their amendment to the bill entitled "*An act providing for the expenſe of the Health-Office in the city of New-York,*" which was not concurred in by this Houſe.

Ordered, That Mr. Potter and Mr. Pride deliver the ſaid bill to the Hon. the Senate, and inform them that this Houſe have amended the ſame purſuant to the amendment of the Hon. the Senate.

Mr. Benton, from the committee of the whole Houſe, on the bill entitled "*An act making alterations in the act entitled "An act for defraying the public and neceſſary charges in the reſpective counties in this State,*" reported progreſs, and obtained leave to ſit again.

A meſſage from the Hon. the Council of Reviſion, delivered by the Hon. Mr. Juſtice Lanſing, was read, that it does not appear improper to the Council that the bill entitled "*An act concerning the auditing and allowance of certain public accounts,*" ſhould become a law of this State.

Mr. Burr, from the committee to whom was referred the petition of John Cheeſeman and Rachel, his wife, and others, and the report of the Comptroller thereon, reported in favor of the petitioners, and obtained leave to bring in a bill entitled "*An act for the relief of the repreſentatives of Hannah Armſtrong, deceaſed,*" which was read the firſt time and ordered a ſecond reading.

Mr. Maſon from the committee of the whole Houſe on the bill entitled "*An act to encourage emigration to this State,*" reported progreſs, and obtained leave to ſit again.

The Hon. the Senate returned by Mr. L'Hommedieu and Mr. Mathews, the bill entitled "*An act providing for the expenſe of the Health-Office in the city of New-York.*"

Ordered, That Mr. Reeve and Mr. Rice deliver the bill to the Hon. the Council of Reviſion.

A copy of a reſolution of the Hon. the Senate, delivered by Mr. Mathews and Mr. J. Morris, was read, and is in the words following, viz.

Reſolved, That the bill entitled "*An act to veſt certain powers in the freeholders and inhabitants of the villages of Troy and Lanſingburgh, and for other purpoſes therein mentioned,*" notwithſtanding the objections of the Hon. the Council of Reviſion to the ſame, become a law of this State.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Mathews and Mr. J. Morris, with the bill therein mentioned, was read, that the Senate have paſſed the bill

entitled "*An act altering the time of holding the election of city officers for the city of Hudson,*" with the amendments therewith delivered.

Ordered, That the conſideration of the ſaid amendments be poſtponed.

Then the Houſe adjourned until ten o'clock to-morrow morning.

Saturday, ten o'clock, A. M. February 17th, 1798.

The bill entitled "*An act for the relief of the repreſentatives of Hannah Armſtrong, deceaſed;*" the bill entitled "*An act for the relief of the repreſentatives of Robert Cambridge Livingſton, deceaſed;*" the bill entitled "*An act to erect part of the counties of Albany and Ulſter into a ſeparate county;*" the bill entitled "*An act to extend the powers of the Inſpectors of Sole-Leather in the city of Albany;*" the bill entitled "*An act for building a Court-Houſe and Gaol in the county of Schoharie;*" the bill entitled "*An act to prevent an unneceſſary accumulation of papers in the public offices,*" and the bill entitled "*An act ſupplementary to the two acts therein mentioned,*" were ſeverally read the ſecond time and committed to a committee of the whole Houſe.

A petition of Stephen Anthony and others, freeholders and inhabitants of the counties of Renſſelaer and Waſhington, remonſtrating againſt the propoſed toll-bridge over the Hooſack River, was read and referred to the committee of the whole Houſe, when on the bill entitled "*An act to enable Joſeph Kline to rebuild Chace's Bridge.*"

A petition of James Shields, late a private in the 3d New-York regiment, praying compenſation for his ſervices, was read and referred to Mr. Bird, Mr. Fonda and Mr. Bevier.

A petition of Daniel Birdſall, late a Lieutenant in the 5th New-York regiment, praying a grant of bounty lands for his ſervices, was read and referred to Mr. Hatfield, Mr. Burr and Mr. Snell.

A petition of Thomas Gifford and others, inhabitants of Curryſbuſh, praying to be erected into a ſeparate town, was read and referred to Mr. Benton, Mr. Prince and Mr. A. Smith.

A petition of William Potter and Arnold Potter, relative to compenſation for certain lands held by them under title derived from this State, which have been found to belong to perſons claiming under Maſſachuſetts, was read and referred to Mr. Williamſon, Mr. Warner and Mr. Kane.

Mr. Arcularius, purſuant to notice by him for that purpoſe heretofore given, moved for and obtained leave to bring in a bill entitled "*An act to encourage and improve the manufacture of Sole Leather, and to regulate and provide for the inſpection of the ſame in this State,*" which was read the firſt time and ordered a ſecond reading.

Mr. T. Barker, from the committee to whom was referred the petition of the Truſtees of the firſt Preſbyterian Congregation in Salem, together with the Comptroller's report thereon, reported in favor of the petitioners, and obtained leave to prepare and bring in a clauſe to be added to ſome proper bill for that purpoſe.

Mr. Maſon, from the committee to whom was referred the petition of Alexander I. Turner and Adonijah Skinner, reported in favor of the petitioners, and obtained leave to prepare and bring in a clauſe to be added to ſome proper bill for that purpoſe.

Ordered, That the committee of the whole Houſe be diſcharged from the further conſideration of the bill entitled "*An act to erect part of the counties of Albany and Ulſter into a ſeparate county;*" and that the ſaid bill be referred to the Members attending this Houſe from the county of Columbia, together with Mr. Bird, Mr. Adams, Mr. J. Smith, Mr. Hall and Mr. Foot.

The Houſe proceeded to the conſideration of the amendments of the Hon. the Senate, to the bill entitled "*An act ſupplementary to the act entitled "An act relative to the acknowledgment of Deeds, paſſed the 11th February*, 1797;" the bill and amendments were read, and the amendments being read a ſecond time, were concurred in by the Houſe, and the bill amended accordingly.

Ordered, That Mr. Rice and Mr. Robins deliver the bill to the Hon. the Senate, and inform them that this Houſe have concurred in the amendments to the ſaid bill, and have amended the ſame accordingly.

The Houſe proceeded to the conſideration of the amendments of the Hon. the Senate to the bill entitled "*An act to alter the time of holding the election of city officers*

for the city of Hudſon;" the bill and amendments being read, and the amendments being read the ſecond time, were concurred in by the Houſe, and the bill amended accordingly.

Ordered, That Mr. Rice and Mr. Robins deliver the bill to the Hon. the Senate, and inform them that the ſame is amended purſuant to the amendments of the Hon. the Senate.

Mr. De la Montagnie, in behalf of Mr. Fairlie, from the committee of the whole Houſe, on the bill entitled "*An act to incorporate the inhabitants reſiding within that part of the patent of Schenectady therein mentioned,*" reported progreſs: Thereupon,

Ordered, That the committee of the whole Houſe be diſcharged from the further conſideration of the ſaid bill; and that the ſame, together with the papers accompanying the ſame, be referred to Mr. Griſwold, Mr. Burr, Mr. Prince, Mr. Wood and Mr. Comſtock.

A meſſage from the Hon. the Senate, delivered by Mr. J. Morris and Mr. T. Morris, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "*An act ſupplementary to the act entitled "An act for opening and improving certain great roads within this State;*" the ſaid bill was read the firſt time and ordered a ſecond reading.

Mr. J. Hogeboom, from the committee of the whole Houſe, on the bill entitled "*An act to erect part of the counties of Tioga and Herkemer into a ſeparate county,*" reported progreſs: Thereupon,

Ordered, That the ſaid bill be committed to Mr. Griſwold, Mr. M'Neal and Mr. Hovey.

Ordered, That it be the order of the day on Wedneſday next, for this Houſe to reſolve itſelf into a committee of the whole Houſe, on the bill entitled "*An act for the ſpeedy recovery of debts to the value of dollars.*"

Mr. Fairlie, from the committee of the whole Houſe, on the bill entitled "*An act for dividing the county of Orange,*" reported, that the committee had gone through the bill and made amendments, which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the amendments be engroſſed.

Mr. Brown, from the committee of the whole Houſe, on the bill entitled "*An act concerning the Court of General Seſſions of the Peace, and the Gaol for offenders, in and for the city and county of New-York,*" reported, that the committee had gone through the bill without amendment, which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That Mr. Rice and Mr. Robins deliver the bill to the Hon. the Senate, and inform them that this Houſe have paſſed the ſame without amendment.

Then the Houſe adjourned until ten o'clock on Monday morning next.

Monday, ten o'clock, A. M. February 19th, 1798.

The bill entitled "*An act to encourage and improve the manufacture of ſole-leather, and to regulate and provide for the inſpection of the ſame in this State,*" and the bill entitled "*An act ſupplementary to the act entitled "An act for opening and improving certain great roads within this State,*" were ſeverally read the ſecond time and committed to a committee of the whole Houſe.

The bill entitled "*An act for dividing the county of Orange,*" with the engroſſed amendments, was read the third time.

Reſolved, That the bill do paſs.

Ordered, That Mr. Robins and Mr. Roſs deliver the bill to the Hon. the Senate, and inform them that this Houſe have paſſed the ſame with the amendments therewith delivered.

A petition of Peter Edmund Elmendorf, praying to be appointed Treaſurer of this State, was read, and committed to the committee of the whole Houſe when on the bill entitled "*An act for the appointment of a treaſurer.*"

A petition of Benajah Boardman and others, and a petition of Stephen Ward and others, inhabitants of the county of Onondaga, praying that a court-houſe and gaol may be erected near the Old Cayuga ferry, and a petition of John Richardſon and

others inhabitants of the ſaid county, praying that a building by them erected in the ſaid county, may by law be declared to be the gaol of the county of Onondaga, were ſeverally read and referred to Mr. Williamſon, Mr. P. P. Schuyler and Mr. Benton.

A petition of Cornelius H. Waldron and others, freeholders and inhabitants of the weſtern part of the county of Montgomery, praying to be annexed to the county of Herkemer, was read, and referred to Mr. Bowman, Mr. Savage and Mr. Pride.

A petition of Margaret Hooghkerk, for herſelf and in behalf of the children of her deceaſed huſband, John Hooghkerk, late of the city of Albany, deceaſed, praying compenſation for the ſervices of her ſaid huſband whilſt an officer in the late American army, was read, and referred to Mr. Bird, Mr. Fonda and Mr. Bevier.

Ordered, That Mr. Hall and Mr. Bowman be added to the committee to whom was committed the bill entited "*An act to erect part of the counties of Herkemer and Tioga into a ſeparate county.*"

Mr. Adams from the committee to whom was referred the petition of Daniel Latham and others, raported, that the committee not having ſufficient information in the premiſes ſtated in the ſaid petition, are of opinion that it would be improper to grant the prayer thereof at preſent; but that the committee have prepared a concurrent reſolution with a recital, and had directed him to move for leave to bring in the ſame; leave being given, Mr. Adams brought in the ſaid reſolution and recital, which was read and agreed to by the Houſe, and is in the words following, viz.

Whereas Daniel Latham and others by their petition to the Legiſlature, have prayed for an excluſive right to erect a draw bridge from a tract of land called Rodman's Neck, to Miniford Iſland in Weſtcheſter county, and alſo an excluſive right to keep a ferry from the ſouth end of ſaid iſland to Great Neck on Naſſau Iſland, with the excluſive right of fiſhing with ſet nets: therefore,

Reſolved, (if the Hon. the Senate concur herein) That the ſaid Daniel Latham and others have leave to preſent to either Houſe of the Legiſlature at their next ſeſſion, a bill for the purpoſes mentioned in their ſaid petition, the ſaid petitioners cauſing a copy of ſuch bill and of this reſolution to be publiſhed at leaſt ſix weeks ſucceſſively previous to the next meeting of the Legiſlature, in the newſpapers printed by two of the public printers in the city of New-York; to the end, that all perſons intereſted therein, may have an opportunity to ſhew cauſe, if any they have, why ſuch bill ſhould not paſs.

Ordered, That Mr. Roſs and Mr. Savage deliver a copy of the preceding reſolution to the Hon. the Senate.

Mr. Mitchell from the committee to whom was referred the petition of Stephen Hendrickſon and others, reported in favor of the petitioners, and obtained leave to bring in a bill entitled "*An act for conſtructing a road, and eſtabliſhing and erecting Turnpikes between Fiſhkill and Tarrytown,*" which was read the firſt time and ordered a ſecond reading.

Mr. De la Montagnie, from the committee of the whole Houſe, on the bill entitled "*An act for the ſpeedy recovery of debts to the value of dollars,*" reported progreſs, and obtained leave to ſit again.

Then the Houſe adjourned until ten o'clock to-morrow morning.

Tueſday, ten o'clock, A. M. February 20th, 1798.

The bill entitled "*An act for eſtabliſhing a road and erecting turnpikes between Fiſhkill and Tarrytown,*" was read the ſecond time and committed to a committee of the whole Houſe.

A petition of Benajah Boardman and others, inhabitants of the county of Onondaga, remonſtrating againſt the propoſed diviſion of the ſaid county, was read and committed to the committee of the whole Houſe when on the bill entitled "*An act for dividing the county of Onondaga.*"

A petition of John Addoms, relative to the claim of dower of the widow of Thomas Rubler on a certain tract of land purchaſed by the petitioner of the commiſſioners of forfeitures of the Middle Diſtrict, was read, and referred to the Attorney-General.

A petition of Joſeph Annin, Luther Trowbridge and Wilhelmus Mynderſe, ſtating that they have purchaſed of the Surveyor-General of this State, at the late ſales of the Cayuga reſervation, lot number 49, praying to be permitted to diſcharge the mort-

gage by them given for the amount of ſales of the ſaid lot together with the intereſt, and receive a clear and equitable conveyance for the ſame, was read, and referred to Mr. Wheeler, Mr. Hoag and Mr. Tyler.

A petition of Nehemiah Richardſon and others, inhabitants of the town of Schuyler in the county of Herkemer, praying for a diviſion of the ſaid town, was read, and referred to Mr. Thomas, Mr. N. Smith and Mr. Teed.

Mr. Bevier from the committee to whom was referred the petition of Robert Milligan, with the report of the Surveyor-General thereon, reported, that from the facts ſtated in the petition, it is evident that the petitioner is not entitled to any bounty lands from this State; they are therefore of opinion that the prayer of the petitioner cannot be granted. Which report was agreed to by the Houſe.

Mr. Maſon from the committee appointed on the part of this Houſe to confer with a committee on the part of the Hon. the Senate relative to the diſtribution of certain copies of the laws of the United States, reported, that in their opinion the following diſtribution would be the moſt effectual method to promulgate the ſaid Laws, viz.

That his Excellency the Governor retain for his uſe one ſet	1
That there be delivered to the Lieutenant-Governor one ſet	1
To the Chief Juſtice and other Judges of the Supreme Court, each one ſet	5
the Attorney-General, Surveyor-General, Comptroller, Secretary of State, and Chancellor each one	5
the Clerk of each town for the uſe of their reſpective towns, one	226
Do. of each county for the uſe of their reſpective counties, one	33
each Member of the Senate, not above mentioned, one	38
each Member of the Aſſembly, one	107
the Clerk of the Senate for the uſe of the Senate chamber	2
the Clerk of the Houſe of Aſſembly for the uſe of the Aſſembly chamber	4
And that the remaining eight copies which are not hereby appropriated, be lodged in the Secretary's office for the uſe of ſuch counties and towns as may be hereafter erected.	8
	420

Which report was agreed to by the Houſe: Thereupon,

Reſolved, (if the Hon. the Senate concur herein) That his Excellency the Governor be requeſted to diſpoſe of the four hundred and twenty copies of the Laws of the United States, now in his poſſeſſion, in the following manner, viz.

That he retain for his own uſe, one copy; That he cauſe to be delivered to his Honor the Lieutenant-Governor, the Chancellor, the Chief Juſtice and other Judges of the Supreme Court, the Attorney-General, the Surveyor-General, the Comptroller and the Secretary of this State, each one copy; to the Clerk of each county, for the uſe of their reſpective counties, one copy; to the Clerk of each town, for the uſe of their reſpective towns, one copy; to the Clerk of the Senate, one copy for each Member of the Senate who is not above provided for; to the Clerk of the Houſe of Aſſembly, one copy for each Member of the Aſſembly, including the Speaker; to the Clerk of the Senate, for the uſe of the Senate Chamber, two copies; to the Clerk of the Houſe of Aſſembly, for the uſe of the Aſſembly Chamber, four copies; and that the remaining copies be lodged in the office of the Secretary of this State, for the uſe of ſuch towns and counties as may hereafter be erected.

Ordered, That Mr. Savage and Mr. P. I. Schuyler deliver a copy of the preceding reſolution to the Hon. the Senate.

Mr. Hall, from the committee to whom was referred the petition of William Kerſey and others, reported in favor of the petitioners, and obtained leave to bring in a bill entitled "*An act further to amend the act entitled "An act for the encouragement of Schools*," which was read the firſt time and ordered a ſecond reading.

Mr. Tyler, from the committee to whom was referred the petition of Jeſſe Brown and others, reported in favor of the petitioners, and obtained leave to bring in a reſolution, which was read and agreed to by the Houſe, and is in the words following, viz.

Reſolved, (if the Hon. the Senate concur herein) That the Surveyor-General be, and he is hereby directed to aſcertain whether the lands conveyed to Jeſſe Brown and

Ezra Tyler by the commiſſioners appointed in the act entitled "*An act relative to the lands in Brothertown,*" paſſed the 3d March, 1795, have been ſurveyed and marked agreeable to the deſcription contained in ſaid deeds, and report a ſtate of facts thereon with all convenient ſpeed.

Ordered, That Mr. Roſs and Mr. Savage deliver a copy of the preceding reſolution to the Hon. the Senate.

Ordered, That the committee of the whole Houſe be diſcharged from the further cnnſideration of the bill entitled "*An act for dividing the town of Saratoga,*" and that the ſame be committed to the Members attending this Houſe from the county of Saratoga.

Mr. Clinton from the committee appointed to take into conſideration that part of his Excellency the Governor's ſpeech relative to aſſiſtant attornies general, reported, that in the opinion of the committee ſome amendments to the law conſtituting thoſe officers would be expedient, that they have prepared a bill for that purpoſe, and directed him to move for leave to bring in the ſame; leave being given, Mr. Clinton brought in the ſaid bill, entitled "*An act to amend the act entitled "An act making proviſion for the more due and convenient conducting public proſecutions at the courts of Oyer and Terminer and gaol delivery, and general ſeſſions of the peace,*" which was read the firſt time and ordered a ſecond reading.

A meſſage from the Hon. the Senate, delivered by Mr. J. Morris and Mr. T. Morris, with the bill therein mentioned, was read, that the Senate have concurred in the amendments of this Houſe to the bill entitled "*An act for dividing the county of Orange,*" and have amended the ſame accordingly.

Ordered, That Mr. Savage and Mr. P. I. Schuyler return the bill to the Hon. the Senate.

The Hon. the Senate returned by Mr. T. Morris and Mr. Myers, the bill entitled "*An act ſupplementary to the act entitled "An act relative to the acknowledgment of deeds,*" paſſed the 4th day of February, 1797, and the bill entitled "*An act altering the time for holding the election of city officers for the city of Hudſon.*"

Ordered, That Mr. P. I. Schuyler and Mr. P. P. Schuyler deliver the bills to the Hon. the Council of Reviſion.

A copy of a reſolution of the Hon. the Senate, delivered by Mr. T. Morris and Mr. Myers, was read, that the Senate do concur with this Houſe in their reſolution as entered on this day's journals, relative to certain lands in Brothertown.

Mr. Maſon, from the committee of the whole Houſe on the bill entitled "*An act to encourage emigration to this State,*" reported, that after the ſaid bill had been read in the committee, Mr. Comſtock made a motion that the ſaid bill be rejected, that debates were had thereon, and the queſtion being put whether the committee did agree thereto, it was carried in the affirmative in the manner following, viz.

For the Affirmative.

Mr. Adams,	Mr. Burt,	Mr. Hatfield,	Mr. P. P. Schuyler,
Mr. Arcularius,	Mr. Clark,	Mr. J. Hogeboom,	Mr. Skidmore,
Mr. Baldwin,	Mr. Coe,	Mr. K. Hogeboom,	Mr. A. Smith,
Mr. Barber,	Mr. Comſtock,	Mr. Howard,	Mr. T. Smith,
Mr. J. Barker,	Mr. Deitz,	Mr. Jenkins,	Mr. J. Smith,
Mr. T. Barker,	Mr. De la Montagnie,	Mr. Lee,	Mr. Storm,
Mr. W. Barker,	Mr. J. A. De Witt,	Mr. M'Cord,	Mr. Teed,
Mr. Bevier,	Mr. J. C. De Witt,	Mr. Miller,	Mr. Ten Broeck,
Mr. Bowen,	Mr. Gray,	Mr. Moſſet,	Mr. Jeſſe Thompſon,
Mr. Bowman,	Mr. Gregory,	Mr. Reeve,	Mr. Iſrael Thompſon,
Mr. Boyd,	Mr. Griſwold,	Mr. Rice,	Mr. Joel Thompſon,
Mr. Bruyn,	Mr. Halſey,	Mr. Savage,	Mr. Wheeler. 49
Mr. Burling,			

For the Negative.

Mr. Benton,	Mr. Fort,	Mr. Micheau,	Mr. Speaker,
Mr. Bird,	Mr. Gettman,	Mr. Mitchell,	Mr. Thomas,
Mr. Brown,	Mr. Hall,	Mr. Ogden,	Mr. Tyler,
Mr. Burr,	Mr. Henry,	Mr. Potter,	Mr. Van Alſtyne,
Mr. Clinton,	Mr. Hoag,	Mr. Prince,	Mr. Verplank,
Mr. Cornwell,	Mr. Holt,	Mr. Robins,	Mr. Warner,
Mr. Coryell,	Mr. Hunt,	Mr. Roſs,	Mr. Wendell,
Mr. Dewey,	Mr. Kane,	Mr. P. I. Schuyler,	Mr. Weſt,
Mr. Fairlie,	Mr. M'Farlan,	Mr. N. Smith,	Mr. Williamſon,
Mr. Fonda,	Mr. M'Neal,	Mr. Snell,	Mr. Wood. 41
Mr. Foot,			

Which he was directed to report to the Houſe, and he read the report in his place and delivered the ſame in at the table, where it was again read and agreed to by the Houſe: thereupon,

Reſolved, That the ſaid bill be, and it is hereby rejected.

Then the Houſe adjourned until ten o'clock to-morrow morning.

Wedneſday, ten o'clock, A. M. February 21ſt, 1798.

The bill entitled "*An act to amend an act entitled "An act making proviſion for the more due an convenient conducting public proſecutions, at the courts of Oyer and Terminer and Goal delivery, and general ſeſſions of the peace,*" and the bill entitled "*An act further to amend the act entitled "An act for the encouragement of Schools,*" were ſeverally read the ſecond time and committed to a committee of the whole Houſe.

Six ſeveral petitions of inhabitants of the towns of New-Windſor, Newburgh and Marlborough, praying that a new county may be erected out of parts of the counties of Ulſter and Orange, were read and referred to the committee to whom ſimilar petitions from thoſe towns have been referred.

Ordered, That Mr. Griſwold be added to the ſaid laſt mentioned committee.

Six ſeveral petitions from the inhabitants of the city of New-York, and the counties of Richmond and Queen's, praying that a law may be paſſed at the preſent ſeſſion for the more ſpeedy and ample relief of perſons confined for debt, was read and referred to Mr. Metcalfe, Mr. Burr, Mr. Bird, Mr. Bowman and Mr. Wood.

A petition of William Colbrath and others, and a petition of Aſa Gifford and others, inhabitants of the Middle and Eaſtern parts of the county of Herkemer, praying that the ſaid county may be divided into two counties, was read and referred to the members attending this Houſe from the county of Herkemer.

Mr. Brown, from the committee to whom was referred the petition of Samuel Avery and Luke Knoulton, with the report of the Comptroller theron, reported in favor of the petitioners; which report was not agreed to by the Houſe.

Mr. Foot, from the committee to whom was referred the petition of John Leonard and others, reported in favor of the petitioners, and obtained leave to bring in a bill entitled "*An act for the relief of John Leonard and others,*" which was read the firſt time and ordered a ſecond reading.

Mr. Griſwold, from the committee to whom was referred the memorial of Lewis A. Scott, Secretary of this State, reported, that in the opinion of the committee, it would be proper that the ſum of dollars ſhould be added to his ſalary, to enable him to hire a houſe in the city of Albany, and that the Comptroller ſhould be authorized to leaſe the houſe which the ſaid Secretary now occupies in the city of New-York, upon terms the moſt advantageous for the State, and that a clauſe ſhould be added to ſome proper bill for theſe purpoſes.

Ordered, That the conſideration of the ſaid report be poſtponed until Friday next.

Ordered, That Mr. Wood, Mr. Comſtock and Mr. Griſwold be a committee to examine and report the unfiniſhed buſineſs now before the Houſe.

Ordered, That it be the order of the day on Friday next for this Houſe to reſolve itſelf into a committee of the whole Houſe, on the bill entitled "*An act for the appointment of a Treaſurer.*"

Mr. Mitchell, from the committee to whom was referred the ſeveral petitions relative to laying out a road from Mamakating, in Ulſter county, to Coſhecton on the Delaware River, reported in favor of the petitioners, and obtained leave to bring in a bill entitled "*An act for laying out and completing a road from Mamakating, in Ulſter county, to Coſhecton on the Delaware River,*" which was read the firſt time and ordered a ſecond reading.

Mr. Jenkins, from the committee of the whole Houſe on the bill entitled "*An act concerning Quit Rents,*" reported, that a clauſe in the ſaid bill was read, and is in the words following, viz.

"And be it further enacted, That it ſhall be lawful for the Comptroller of this State, from time to time as often as there ſhall be occaſion, by warrant under his hand and ſeal of office, to appoint and authorize any proper perſon or peſons to diſtrain for the quit rent due, or hereafter to become due upon any divided part of any grant or patent, or any tract or parcel of land contained therein, and every ſuch perſon ſo appointed, ſhall be conſidered as the proper officer for that purpoſe, but no

diſtreſs ſhall be made by virtue of this act upon any farm, lot or divided part of any tract of land, for any arrears of quit rent due for any other part of the ſaid patent or tract of land."

That Mr. Roſs made a motion that the ſaid clauſe ſhould be expunged; that debates were had thereon, and the queſtion being put whether the committee did agree thereto, it paſſed in the negative, in the manner following, viz.

For the Negative.

Mr. Arcularius,	Mr. J. A. De Witt,	Mr. Mitchell,	Mr. Teed,
Mr. J. Barker,	Mr. Fairlie,	Mr. Moffet,	Mr. Thomas,
Mr. T. Barker,	Mr. Foot,	Mr. Ogden,	Mr. Jeſſe Thompſon,
Mr. W. Barker,	Mr. Fort,	Mr. Pearſall,	Mr. Joel Thompſon,
Mr. Benton,	Mr. Gray,	Mr. Potter,	Mr. Tyler,
Mr. Bowman,	Mr. Gregory,	Mr. Reeve,	Mr. Vandervoort,
Mr. Brown,	Mr. Hall,	Mr. Robins,	Mr. Verplank,
Mr. Bruyn,	Mr. Halſey,	Mr. P. P. Schuyler,	Mr. Warner,
Mr. Burr,	Mr. Heermance,	Mr. Skidmore,	Mr. Wendell,
Mr. Campbell,	Mr. Howard,	Mr. J. Smith,	Mr. Weſt,
Mr. Carman,	Mr. M'Neal,	Mr. Snell,	Mr. Williamſon,
Mr. Cornwell,	Mr. Micheau,	Mr, Speaker,	Mr. Wood. 50
Mr. De la Montagnie,	Mr. Miller,		

For the Affirmative.

Mr. Adams,	Mr. Deitz,	Mr. Horton,	Mr. Roſs,
Mr. Baldwin,	Mr. J. C. De Witt,	Mr. Hovey,	Mr. Savage,
Mr. Barber,	Mr. Dewey,	Mr. Hunt,	Mr. A. Smith,
Mr. Bevier,	Mr. Griſwold,	Mr. Kane,	Mr. T. Smith,
Mr. Boyd,	Mr. Hatfield,	Mr. Lee,	Mr. N. Smith,
Mr. Burling,	Mr. Henry,	Mr. Maſon,	Mr. Storm,
Mr. Burt,	Mr. Hoag,	Mr. M'Cord,	Mr. Ten Broeck,
Mr. Clark,	Mr. J. Hogeboom,	Mr. M'Farlan,	Mr. Iſrael Thompſon,
Mr. Clinton,	Mr. K. Hogeboom,	Mr. Prince,	Mr. Van Alſtyne,
Mr. Coe,	Mr. Holly,	Mr. Pride,	Mr. Voſburgh,
Mr. Comſtock,	Mr. Holt,	Mr. Rice,	Mr. Wheeler. 45
Mr. Coryell,			

That the queſtion being put whether the committee did agree to the ſaid clauſe, it was carried in the affirmative in the manner following, viz.

For the Affirmative.

Mr. Arcularius,	Mr. De la Montagnie,	Mr. Micheau,	Mr. Teed,
Mr. J. Barker,	Mr. J. A. De Witt,	Mr. Miller,	Mr. Thomas,
Mr. T. Barker,	Mr. Fairlie,	Mr. Mitchell,	Mr. Jeſſe Thompſon,
Mr. W. Barker,	Mr. Fonda,	Mr. Ogden,	Mr. Joel Thompſon,
Mr. Benton,	Mr. Foot,	Mr. Pearſall,	Mr. Tyler,
Mr. Bowman,	Mr. Fort,	Mr. Potter,	Mr. Vandervoort,
Mr. Brown,	Mr. Gray,	Mr. Reeve,	Mr. Verplank,
Mr. Bruyn,	Mr. Gregory,	Mr. Robins,	Mr. Warner,
Mr. Burr,	Mr. Hall,	Mr. P. P. Schuyler,	Mr. Wendell,
Mr. Campbell,	Mr. Halſey,	Mr. J. Smith,	Mr. Weſt,
Mr. Carman,	Mr. Heermance,	Mr. Snell,	Mr. Williamſon,
Mr. Cornwell,	Mr. Howard,	Mr. Speaker,	Mr. Wood. 50
Mr. Deitz,	Mr. M'Neal,		

For the Negative.

Mr. Adams,	Mr. J. C. De Witt,	Mr. Hovey,	Mr. Savage,
Mr. Baldwin,	Mr. Dewey,	Mr. Hunt,	Mr. Skidmore,
Mr. Barber,	Mr. Griſwold,	Mr. Kane,	Mr. A. Smith,
Mr. Bevier,	Mr. Hatfield,	Mr. Lee,	Mr. T. Smith,
Mr. Boyd,	Mr. Henry,	Mr. Maſon,	Mr. N. Smith,
Mr. Burling,	Mr. Hoag,	Mr. M'Cord,	Mr. Storm,
Mr. Burt,	Mr. J. Hogeboom,	Mr. M'Farlan,	Mr. Ten Broeck,
Mr. Clark,	Mr. K. Hogeboom,	Mr. Prince,	Mr. Iſrael Thompſon,
Mr. Clinton,	Mr. Holly,	Mr. Pride,	Mr. Van Alſtyne,
Mr. Coe,	Mr. Holt,	Mr. Rice,	Mr. Vosburgh,
Mr. Comſtock,	Mr. Horton,	Mr. Roſs,	Mr. Wheeler. 45
Mr. Coryell,			

Mr. Jenkins further reported, that the committee had gone through the bill and made amendments, which he was directed to report to the Houſe, and he read the report in his place and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the amendments be engroſſed.

Mr. Benton from the committee of the whole Houſe on the bill entitled "*An act to amend the act entitled "An act making alterations in the criminal law of this State, and for*

erecting State Priſons," reported, that the firſt enacting clauſe of the ſaid bill was read, and is in the words following, viz.

" Be it enacted by the people of the State of New-York repreſented in Senate and Aſſembly, That any perſon who ſhall hereafter be guilty of wilfully burning any dwelling-houſe, barn, merchant's ſhop or ſtorehouſe, then every perſon being thereof convicted according to the due courſe of law, ſhall be deemed guilty of felony, and ſhall be hanged by the neck until he or ſhe ſhall be dead, any law to the contrary notwithſtanding."

That Mr. Mitchell made a motion that the committee ſhould agree to expunge the ſaid clauſe, that debates were had thereon, and the queſtion being put whether the committee did agree to the motion of Mr. Mitchell, it paſſed in the negative in the manner following, viz.

For the Negative.

Mr. Adams,	Mr. J. C. De Witt,	Mr. M'Cord,	Mr. J. Smith,
Mr. Arcularius,	Mr. Fairlie,	Mr. M'Farlan,	Mr. N. Smith,
Mr. Baldwin,	Mr. Fonda,	Mr. Metcalfe,	Mr. Snell,
Mr. Bevier,	Mr. Gregory,	Mr. Ogden,	Mr. Speaker,
Mr. Boyd,	Mr. Halſey,	Mr. Pearſall,	Mr. Ten Broeck,
Mr. Bruyn,	Mr. Hatfield,	Mr. Potter,	Mr. Thomas,
Mr. Burt,	Mr. Heermance,	Mr. Prince,	Mr. Vandervoort,
Mr. Campbell,	Mr. Henry,	Mr. Pride,	Mr. Van Alſtyne,
Mr. Carman,	Mr. Hoag,	Mr. Roſs,	Mr. Verplank,
Mr. Comſtock,	Mr. J. Hogeboom,	Mr. Savage,	Mr. Voſburgh,
Mr. Cornwell,	Mr. K. Hogeboom,	Mr. P. I. Schuyler,	Mr. Wendell,
Mr. Deitz,	Mr. Holly,	Mr. P. P. Schuyler,	Mr. Weſt,
Mr. J. A. De Witt,	Mr. Horton,	Mr. Skidmore,	Mr. Wheeler. 51

For the Affirmative.

Mr. Barber,	Mr. Coryell,	Mr. Jenkins,	Mr. Robins,
Mr. J. Barker,	Mr. De la Montagnie,	Mr. Lee,	Mr. A. Smith,
Mr. T. Barker,	Mr. Dewey,	Mr. Maſon,	Mr. T. Smith,
Mr. W. Barker,	Mr. Foot,	Mr. M'Neal,	Mr. Storm,
Mr. Bowman,	Mr. Gray,	Mr. Micheau,	Mr. Teed,
Mr. Brown,	Mr. Griſwold,	Mr. Miller,	Mr. Jeſſe Thompſon,
Mr. Burling,	Mr. Hall,	Mr. Mitchell,	Mr. Iſrael Thompſon,
Mr. Clark,	Mr. Holt,	Mr. Moffet,	Mr. Tyler,
Mr. Clinton,	Mr. Howard,	Mr. Reeve,	Mr. Williamſon,
Mr. Coe,	Mr. Hunt,	Mr. Rice,	Mr. Wood. 40

That Mr. Speaker made a motion that the committee ſhould agree to expunge the word "*merchant's*" in the fourth line of the ſaid firſt enacting clauſe.

That Mr. Maſon made a motion as an amendment to the motion made by Mr. Speaker, that the committee ſhould agree to expunge the words "*barn, merchant's ſhop or ſtorehouſe,*" in the fourth line of the ſaid firſt enacting clauſe; that the queſtion being put on the motion made by Mr. Maſon, it paſſed in the negative in the manner following, viz.

For the Negative.

Mr. Adams,	Mr. J. A. De Witt,	Mr. M'Cord,	Mr. N. Smith,
Mr. Arcularius,	Mr. J. C. De Witt,	Mr. Metcalfe,	Mr. Snell,
Mr. Baldwin,	Mr. Fonda,	Mr. Micheau,	Mr. Speaker,
Mr. J. Barker,	Mr. Fort,	Mr. Ogden,	Mr. Ten Broeck,
Mr. T. Barker,	Mr. Gregory,	Mr. Pearſall,	Mr. Thomas,
Mr. Bevier,	Mr. Halſey,	Mr. Potter,	Mr. Joel Thompſon,
Mr. Boyd,	Mr. Hatfield,	Mr. Prince,	Mr. Vandervoort,
Mr. Bruyn,	Mr. Heermance,	Mr. Pride,	Mr. Van Alſtyne,
Mr. Burt,	Mr. Henry,	Mr. Savage,	Mr. Verplank,
Mr. Campbell,	Mr. Hoag,	Mr. P. I. Schuyler,	Mr. Voſburgh,
Mr. Coe,	Mr. J. Hogeboom,	Mr. P. P. Schuyler,	Mr. Wendell,
Mr. Comſtock,	Mr. K. Hogeboom,	Mr. Skidmore,	Mr. Weſt,
Mr. Cornwell,	Mr. Holly,	Mr. J. Smith,	Mr. Williamſon. 54
Mr. Dietz,	Mr. Horton,		

For the Affirmative.

Mr. Barber,	Mr. Dewey,	Mr. Jenkins,	Mr. A. Smith,
Mr. W. Barker,	Mr. Fairlie,	Mr. Lee,	Mr. T. Smith,
Mr. Bowman,	Mr. Foot,	Mr. Maſon,	Mr. Storm,
Mr. Brown,	Mr. Gray,	Mr. M'Neal,	Mr. Teed,
Mr. Burling,	Mr. Griſwold,	Mr. Miller,	Mr. Jeſſe Thompſon,
Mr. Carman,	Mr. Hall,	Mr. Mitchell,	Mr. Iſrael Thompſon,
Mr. Clark,	Mr. Holt,	Mr. Rice,	Mr. Tyler,
Mr. Clinton,	Mr. Howard,	Mr. Robins,	Mr. Wheeler,
Mr. Coryell,	Mr. Hunt,	Mr. Roſs,	Mr. Wood. 37
Mr. De la Montagnie,			

That the queſtion being then put on the motion of Mr. Speaker, it paſſed in the negative in the manner following, viz.

For the Negative.

Mr. Adams,	Mr. Gray,	Mr. M'Neal,	Mr. N. Smith,
Mr. Arcularius,	Mr. Gregory,	Mr. Miller,	Mr. Snell,
Mr. Baldwin,	Mr. Hall,	Mr. Moſſet,	Mr. Storm,
Mr. T. Barker,	Mr. Halſey,	Mr. Potter,	Mr. Teed,
Mr. Bowman,	Mr. Henry,	Mr. Reeve,	Mr. Ten Broeck,
Mr. Clark,	Mr. Hoag,	Mr. Rice,	Mr. Thomas,
Mr. Clinton,	Mr. J. Hogeboom,	Mr. Robins,	Mr. Jeſſe Thompſon,
Mr. Coe,	Mr. K. Hogeboom,	Mr. Roſs,	Mr. Iſrael Thompſon,
Mr. Coryell,	Mr. Holly,	Mr. P. I. Schuyler,	Mr. Joel Thompſon,
Mr. De la Montagnie,	Mr. Holt,	Mr. P. P. Schuyler,	Mr. Tyler,
Mr. J. C. De Witt,	Mr. Horton,	Mr. Skidmore,	Mr. Verplank,
Mr. Fairlie,	Mr. Howard,	Mr. A. Smith,	Mr. Wendell,
Mr. Fonda,	Mr. Jenkins,	Mr. T. Smith,	Mr. Wheeler,
Mr. Foot,	Mr. Lee,	Mr. J. Smith,	Mr. Wood. 58
Mr. Fort,	Mr. Maſon,		

For the Affirmative.

Mr. Barber,	Mr. Campbell,	Mr. Heermance,	Mr. Prince,
Mr. J. Barker,	Mr. Carman,	Mr. Hunt,	Mr. Pride,
Mr. W. Barker,	Mr. Comſtock,	Mr. M'Cord,	Mr. Speaker,
Mr. Bevier,	Mr. Cornwell,	Mr. Metcalfe,	Mr. Vandervoort,
Mr. Boyd,	Mr. Deitz,	Mr. Micheau,	Mr. Van Alſtyne,
Mr. Brown,	Mr. J. A. De Witt,	Mr. Mitchell,	Mr. Voſburgh,
Mr. Bruyn,	Mr. Dewey,	Mr. Ogden,	Mr. Weſt,
Mr. Burling,	Mr. Griſwold,	Mr. Pearſall,	Mr. Williamſon. 34
Mr. Burt,	Mr. Hatfield,		

Mr. Benton reported further progreſs, and obtained leave to ſit again.

A copy of a reſolution of the Hon. the Senate, delivered by Mr. Myers and Mr. Nicoll, was read, that the Senate do not concur with this Houſe in their reſolution as entered on the journals on the 19th inſtant, granting leave to Daniel Latham and others to preſent a bill to either houſe of the Legiſlature at the next ſeſſion, for the purpoſes mentioned in their petition.

A copy of a reſolution of the Hon. the Senate, alſo delivered by Mr. Myers and Mr. Nicoll, was read, that the Senate do not concur with this Houſe in their reſolution as entered on the journals of yeſterday, relative to the diſtribution of the copies of the laws of the United States.

A copy of a reſolution of the Hon. the Senate, alſo delivered by Mr. Myers and Mr. Nicoll, was read, and is in the words following, viz.

Reſolved, (if the Hon. the Aſſembly concur herein) That his Excellency the Governor be requeſted to diſpoſe of the four hundred and twenty copies of the laws of the United States now in his poſſeſſion, in the following manner, viz. That he retain for his own uſe one copy; that he cauſe to be delivered to his Honor the Lieutenant-Governor, the Chancellor, the Chief Juſtice and other Judges of the Supreme Court, the Attorney-General, the Surveyor-General, the Comptroller, the Judge of Probates and the Secretary of this State, each one copy; to the Clerk of each county, for the uſe of their reſpective counties, one copy; to the Clerk of each town, for the uſe of their reſpective towns, one copy; to the Aſſiſtant-Attornies, each one copy; to the Mayor and Recorder of the city of New-York, Mayor and Recorder of the city of Albany, and Mayor and Recorder of the city of Hudſon, each one copy; to the

firſt Judge and three ſenior Judges of each county, each one copy, for the uſe of themſelves and their ſucceſſors in office; to the Clerk of the Senate, three copies, for the uſe of the Senate Chamber; to the Clerk of the Aſſembly, for the uſe of the Aſſembly Chamber, four copies; and that the remaining copies be lodged in the office of the Secretary of this State, for the uſe of ſuch other towns and counties as may hereafter be erected.

Ordered, That the conſideration of the ſaid reſolution be poſtponed.

A copy of a reſolution of the Hon. the Senate, alſo delivered by Mr. Myers and Mr. Nicoll, was read, and is in the words following, viz.

Reſolved, (if the Hon. the Aſſembly concur herein) That a committee of the Senate and Aſſembly be appointed to conſider and report on the repreſentation of the commiſſioners appointed for erecting a public building in the city of Albany; and in caſe of ſuch concurrence, that Mr. Watſon, Mr. Ganſevoort and Mr. Sanger, be of the ſaid committee on the part of the Senate.

Ordered, That the conſideration of the ſaid reſolution be poſtponed until to-morrow.

A copy of a reſolution of the Hon. the Senate, alſo delivered by Mr. Myers and Mr. Nicoll, was read, and is in the words following, viz.

Reſolved, (if the Hon. the Aſſembly concur herein) That a joint committee of the Senate and Aſſembly be appointed to report whether any, and what alterations are neceſſary to be made as to the fees allowed to the judges and other officers of the ſeveral courts of common pleas and general ſeſſions of the peace in the ſeveral counties in this State; and alſo whether any, and what further proviſions are neceſſary to be made for defraying the expenſes and charges of witneſſes on behalf of the people on criminal proſecutions, and for witneſſes in civil actions; and in caſe of ſuch concurrence that Mr. L'Hommedieu, Mr. T. Morris and Mr. Addiſon be of the ſaid committee on the part of the Senate.

Reſolved, That this Houſe do concur with the Hon. the Senate in their ſaid preceding reſolution, and that Mr. Bird, Mr. Burr, Mr. J. Hogeboom, Mr. Griſwold and Mr. Fonda, be of the ſaid committee on the part of this Houſe.

Ordered, That Mr. P. P. Schuyler and Mr. Skidmore deliver a copy of the preceding concurrent reſolution to the Hon. the Senate.

Mr. Fairlie, from the committee of the whole Houſe, on the bill entitled "*An act to amend the act entitled "An act making alterations in the Criminal Law of this State, and for erecting State Priſons,*" reported progreſs, and obtained leave to ſit again.

Mr. Williamſon, from the committee to whom was referred the meſſage of his Excellency the Governor of the 14th inſtant, reported, that in their opinion a power ſhould be veſted in the Governor of this State to order the neceſſary proviſions for the entertainment of ſuch Indians as may viſit the ſeat of government on buſineſs with the Legiſlature; that the committee have prepared a bill for that purpoſe, and have directed him to move for leave to bring in the ſame; leave being given, Mr. Williamſon brought in the ſaid bill entitled "*An act to empower the Governor to provide for the entertainment of Indians viſiting the ſeat of government on buſineſs,*" which was read the firſt time and ordered a ſecond reading.

By unanimous conſent the ſaid bill was read the ſecond time and committed to a committee of the whole Houſe.

Thurſday, ten o'clock, A. M. February 22d, 1798.

The bill entitled "*An act concerning Quit Rents,*" with the engroſſed amendments, was read the third time.

Reſolved, That the bill do paſs.

Ordered, That Mr. P. P. Schuyler and Mr. Skidmore deliver the bill to the Hon. the Senate, and inform them that this Houſe have paſſed the bill with the amendments therewith delivered.

The bill entitled "*An act for laying out and completing a road from Mamakating, in Ulſter county, to Coſhecton on the Delaware River,*" and the bill entitled "*An act for the relief of John Leonard and others,*" were ſeverally read the ſecond time and committed to a committee of the whole Houſe.

A petition of Nicholas Smith, of the town of Palatine, in the county of Montgomery, relative to a piece of land in Magin's purchaſe, part of the forfeited eſtate of

Iſaac Low, and remaining unſold, was read and referred to Mr. Snell, Mr. K. Hogeboom and Mr. Skidmore.

A petition of the Truſtees of the Preſbyterian Congregation of the town of Bedford, in Weſtcheſter county, praying to be reinſtated in the privileges granted by the act making proviſion for incorporating religious denominations within this State, and which the petitioners have forfeited by neglecting to make a triennial return, was read and referred to Mr. Savage, Mr. Lee and Mr. Weſt.

A petition of Eve Haner, widow of Peter Haner, formerly of Palatine, in the county of Montgomery, who was killed at the battle of Oriſka, praying ſimilar relief as has been granted to Catharine Paris, was read and referred to Mr. Teed, Mr. Voſburgh and Mr. Van Alſtyne.

A petition of Thomas Done, praying a grant of bounty lands for his ſervices during the late war, was read and referred to Mr. Hatfield, Mr. Burr and Mr. Snell.

Mr. Fonda, from the committee to whom was referred the report of the Comptroller on the bill for the relief of Ebenezer Mott, reported in favor of the ſaid E. Mott, and obtained leave to bring in a bill entitled "*An act for the relief of Ebenezer Mott,*" which was read the firſt time and ordered a ſecond reading.

The Houſe proceeded to the conſideration of the reſolution of the Hon. the Senate, as entered on the Journals of this Houſe yeſterday, relative to the appointing a joint committee of the Senate and Aſſembly, to conſider and report on the repreſentation of the commiſſioners appointed for erecting a public building in the city of Albany: Thereupon,

Reſolved, That this Houſe do concur with the Hon. the Senate in their ſaid reſolution, and that Mr. Wendell, Mr. Metcalfe, Mr. Storm, Mr. Griſwold and Mr. Moffet, be of the ſaid committee on the part of this Houſe.

Ordered, That Mr. P. P. Schuyler and Mr. Skidmore deliver a copy of the preceding reſolution of concurrence to the Hon. the Senate.

The Houſe proceeded to the conſideration of the reſolution of the Hon. the Senate, as entered on the Journals of this Houſe yeſterday, relative to the diſtribution of the copies of the Laws of the United States: Thereupon,

Reſolved, That this Houſe do not concur with the Hon. the Senate in their ſaid reſolution.

Ordered, That Mr. P. P. Schuyler and Mr. Skidmore deliver a copy of the preceding reſolution to the Hon. the Senate.

Reſolved, (if the Hon. the Senate concur herein) That his Excellency the Governor be requeſted to diſpoſe of the four hundred and twenty copies of the Laws of the United States, now in his poſſeſſion, in the ſame manner that the Secretary of this State is directed annually to diſpoſe of the ſame.

Ordered, That Mr. P. P. Schuyler and Mr. Skidmore deliver a copy of the preceding reſolution to the Hon. the Senate.

Ordered, That it be the order of the day on Tueſday next for this Houſe to reſolve itſelf into a committee of the whole Houſe on the bill entitled "*An act more effectually to provide for the improving and repairing highways and bridges in the counties of* ———."

A meſſage from his Excellency the Governor, delivered by his private ſecretary, was read, and is in the words following, viz.

GENTLEMEN,

The Chiefs of the Oneida tribe of Indians have come to this place with a view to diſpoſe of a part of the lands reſerved to them. It will in my opinion be expedient that proper perſons be authorized to manage this buſineſs with them on the part of the State.

JOHN JAY.

ALBANY, *February* 22*d*, 1798.

Ordered, That the ſaid meſſage be committed to a committee of the whole Houſe when on the bill entitled "*An act to empower the Governor to provide for the entertainment of Indians viſiting the ſeat of government on buſineſs.*"

A meſſage from the Hon. the Senate, delivered by Mr. Nicoll and Mr. Phelps, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "*An act to amend the act entitled "An act to regulate highways,*" with the amendments therewith delivered.

Ordered, That the conſideration of the ſaid amendments be poſtponed.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Nicoll and Mr. Phelps, with the bill therein mentioned, was read, that the Senate do concur in the firſt, and do not concur in the laſt amendment of this Houſe to the bill entitled "*An act concerning quit rents.*"

Ordered, That the conſideration of the ſaid amendment be poſtponed.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Nicoll and Mr. Phelps, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "*An act providing for the regiſtry of deeds in certain counties therein mentioned;*" the ſaid bill was read the firſt time and ordered a ſecond reading.

A copy of a reſolution of the Hon. the Senate, delivered by Mr. Phelps and Mr. Ruſſell, was read, that the Senate do not concur with this Houſe in their reſolution as entered on the journals this day, relative to the diſtribution of the laws of the United States.

Mr. Fairlie, from the committee of the whole Houſe on the bill entitled "*An act to amend the act entitled "An act making alterations in the criminal law of this State, and for erecting State Priſons,*" reported, that in proceeding in the ſaid bill, Mr. Wood made a motion that the committee ſhould agree to add a clauſe to the ſaid bill in the words following, viz.

And be it further enacted, That if any perſon or perſons who have heretofore been convicted, or may hereafter be convicted of any crime for which he or ſhe have been or may be ſentenced to impriſonment for life in the State Priſon of this State, ſhall break the ſaid priſon and eſcape from thence, and ſhall be thereof duly convicted, ſhall ſuffer death, and be adjudged to be hanged by the neck until he or ſhe ſhall be dead, any law to the contrary notwithſtanding.

That debates were had thereon, and the queſtion being put whether the committee did agree thereto, it paſſed in the negative in the manner following, viz.

For the Negative.

Mr. Adams,	Mr. J. C. De Witt,	Mr. Lee,	Mr. T. Smith,
Mr. Barber,	Mr. Dewey,	Mr. M'Farlan,	Mr. J. Smith,
Mr. J. Barker,	Mr. Foot,	Mr. M'Neal,	Mr. N. Smith,
Mr. T. Barker,	Mr. Fort,	Mr. Micheau,	Mr. Snell,
Mr. W. Barker,	Mr. Gray,	Mr. Miller,	Mr. Storm,
Mr. Benton,	Mr. Gregory,	Mr. Mitchell,	Mr. Speaker,
Mr. Burling,	Mr. Griſwold,	Mr. Moffet,	Mr. Teed,
Mr. Burt,	Mr. Hall,	Mr. Morſe,	Mr. Ten Broeck,
Mr. Campbell,	Mr. Halſey,	Mr. Pearſall,	Mr. Jeſſe Thompſon,
Mr. Carman,	Mr. Heermance,	Mr. Potter,	Mr. Iſrael Thompſon,
Mr. Clark,	Mr. Hoag,	Mr. Prince,	Mr. Joel Thompſon,
Mr. Clinton,	Mr. Holly,	Mr. Reeve,	Mr. Van Alſtyne,
Mr. Coe,	Mr. Horton,	Mr. Robins,	Mr. Verplank,
Mr. Comſtock,	Mr. Hovey,	Mr. Roſs,	Mr. Voſburgh,
Mr. Cornwell,	Mr. Howard,	Mr. Savage,	Mr. Warner,
Mr. Coryell,	Mr. Hunt,	Mr. Skidmore,	Mr. Weſt,
Mr. Deitz,	Mr. Jenkins,	Mr. A. Smith,	Mr. Williamſon. 69
Mr. De la Montagnie,			

For the Affirmative.

Mr. Baldwin,	Mr. Brown,	Mr. J. Hogeboom,	Mr. P. P. Schuyler,
Mr. Bevier,	Mr. Bruyn,	Mr. K. Hogeboom,	Mr. Wendell,
Mr. Bowman,	Mr. Hatfield,	Mr. M'Cord,	Mr. Wood. 15
Mr. Boyd,	Mr. Henry,	Mr. Ogden,	

That Mr. Comſtock then made a motion that the committee ſhould agree to add a clauſe to the ſaid bill in the words following, viz.

And be it further enacted, That if any perſon or perſons who have heretofore been convicted, or may hereafter be convicted of any crime for which he or ſhe have been or may be ſentenced to impriſonment for life in the State Priſon of this State, ſhall break the ſaid priſon and eſcape from thence, and ſhall thereafter commit any felony above the degree of petit larceny, then he or ſhe being thereof duly convicted, ſhall be hanged by the neck until he or ſhe ſhall be dead.

That debates were had thereon, and the queſtion being put whether the committee did agree thereto, it was carried in the affirmative in the manner following, viz.

For the Affirmative.

Mr. Baldwin,	Mr. J. C. De Witt,	Mr. Howard,	Mr. Skidmore,
Mr. Barber,	Mr. Fort,	Mr. Jenkins,	Mr. T. Smith,
Mr. J. Barker,	Mr. Gettman,	Mr. Lee,	Mr. J. Smith,
Mr. T. Barker,	Mr. Gray,	Mr. Maſon,	Mr. N. Smith,
Mr. Bowman,	Mr. Gregory,	Mr. M'Cord,	Mr. Snell,
Mr. Boyd,	Mr. Griſwold,	Mr. M'Farlan,	Mr. Speaker,
Mr. Brown,	Mr. Halſey,	Mr. Moſſet,	Mr. Ten Broeck,
Mr. Bruyn,	Mr. Hatfield,	Mr. Ogden,	Mr. Joel Thompſon,
Mr. Burt,	Mr. Heermance,	Mr. Pearſall,	Mr. Vandervoort,
Mr. Campbell,	Mr. Henry,	Mr. Potter,	Mr. Van Alſtyne,
Mr. Clark,	Mr. Hoag,	Mr. Prince,	Mr. Verplank,
Mr. Coe,	Mr. J. Hogeboom,	Mr. Pride,	Mr. Vosburgh,
Mr. Comſtock,	Mr. K. Hogeboom,	Mr. Reeve,	Mr. Wendell,
Mr. Cornwell,	Mr. Holly,	Mr. Roſs,	Mr. Weſt,
Mr. Coryell,	Mr. Horton,	Mr. Savage,	Mr. Williamſon,
Mr. Deitz,	Mr. Hovey,	Mr. P. P. Schuyler,	Mr. Wood. 65

For the Negative.

Mr. Adams,	Mr. Clinton,	Mr. M'Neal,	Mr. Storm,
Mr. Arcularius,	Mr. De la Montagnie,	Mr. Micheau,	Mr. Teed,
Mr. W. Barker,	Mr. Dewey,	Mr. Miller,	Mr. Jeſſe Thompſon,
Mr. Benton,	Mr. Foot,	Mr. Mitchell,	Mr. Iſrael Thompſon,
Mr. Bevier,	Mr. Hall,	Mr. Morſe,	Mr. Warner,
Mr. Burling,	Mr. Holt,	Mr. Robins,	Mr. Wheeler. 27
Mr. Carman,	Mr. Hunt,	Mr. A. Smith,	

That Mr. Wood then made a motion that the committee ſhould agree to add a clauſe to the ſaid bill, which was read, and is in the words following, viz.

And be it further enacted, That in caſe any perſon or perſons who have been, or may hereafter be convicted of any crime for which he or ſhe have been or may hereafter be ſentenced to impriſonment in the State Priſon for any term of years, ſhall break the ſaid priſon and eſcape from thence and be retaken, he or ſhe being thereof convicted, ſhall be deemed guilty of felony, and ſhall be adjudged to impriſonment and hard labor in the ſaid priſon for double the term of time ſpecified in the original judgment againſt him or her, to commence from the period of the laſt conviction, notwithſtanding the term for which ſuch perſon was to have been impriſoned, may, when ſuch perſon ſhall be retaken, have expired.

That debates were had thereon, and the queſtion being put whether the committee did agree thereto, it was carried in the affirmative in the manner following, viz.

For the Affirmative.

Mr. Arcularius,	Mr. Cornwell,	Mr. Maſon,	Mr. Snell,
Mr. Baldwin,	Mr. Deitz,	Mr. M'Cord,	Mr. Storm,
Mr. T. Barker,	Mr. J. C. De Witt,	Mr. M'Farlan,	Mr. Speaker,
Mr. Benton,	Mr. Foot,	Mr. Metcalfe,	Mr. Ten Broeck,
Mr. Bevier,	Mr. Fort,	Mr. Micheau,	Mr. Thomas,
Mr. Bowman,	Mr. Gettman,	Mr. Moffet,	Mr. Vandervoort,
Mr. Boyd,	Mr. Gray,	Mr. Ogden,	Mr. Van Alſtyne,
Mr. Bruyn,	Mr. Gregory,	Mr. Pearſall,	Mr. Verplank,
Mr. Burling,	Mr. Hatfield,	Mr. Potter,	Mr. Voſburgh,
Mr. Burt,	Mr. Heermance,	Mr. Prince,	Mr. Warner,
Mr. Campbell,	Mr. Hoag,	Mr. Robins,	Mr. Wendell,
Mr. Carman,	Mr. J. Hogeboom,	Mr. Roſs,	Mr. Weſt,
Mr. Clark,	Mr. K. Hogeboom,	Mr. Savage,	Mr. Williamſon,
Mr. Coe,	Mr. Hunt,	Mr. P. P. Schuyler,	Mr. Wood. 58
Mr. Comſtock,	Mr. Jenkins,		

For the Negative.

Mr. Adams,	Mr. Hall,	Mr. M'Neal,	Mr. J. Smith,
Mr. Barber,	Mr. Halſey,	Mr. Miller,	Mr. N. Smith,
Mr. J. Barker,	Mr. Henry,	Mr. Mitchell,	Mr. Teed,
Mr. W. Barker,	Mr. Holly,	Mr. Morſe,	Mr. Jeſſe Thompſon,
Mr. Clinton,	Mr. Holt,	Mr. Pride,	Mr. Iſrael Thompſon,
Mr. Coryell,	Mr. Horton,	Mr. Reeve,	Mr. Joel Thompſon,
Mr. De la Montagnie,	Mr. Hovey,	Mr. A. Smith,	Mr. Tyler,
Mr. Dewey,	Mr. Howard,	Mr. T. Smith,	Mr. Wheeler. 34
Mr. Griſwold,	Mr. Lee,		

That Mr. Wood then made a motion that the committee ſhould agree to add a clauſe to the ſaid bill, which was read, and is in the words following, viz.

And be it further enacted, That the fifth ſection of the act hereby amended, ſhall be, and hereby is repealed; and the act which authorizes any court or juſtices to award or order any perſon to be puniſhed by whipping, for offences under the degree of grand larceny, ſhall be, and hereby is revived.

That debates were had thereon, and the queſtion being put whether the committee did agree thereto, it paſſed in the negative in the manner following, viz.

For the Negative.

Mr. Arcularius,	Mr. Dewey,	Mr. Maſon,	Mr. T. Smith,
Mr. Baldwin,	Mr. Foot,	Mr. M'Cord,	Mr. J. Smith,
Mr. Barber,	Mr. Gray,	Mr. M'Neal,	Mr. N. Smith,
Mr. T. Barker,	Mr. Griſwold,	Mr. Micheau,	Mr. Storm,
Mr. Benton,	Mr. Hall,	Mr. Mitchell,	Mr. Speaker,
Mr. Bowman,	Mr. Henry,	Mr. Ogden,	Mr. Teed,
Mr. Boyd,	Mr. J. Hogeboom,	Mr. Potter,	Mr. Jeſſe Thompſon,
Mr. Brown,	Mr. Holt,	Mr. Prince,	Mr. Iſrael Thompſon,
Mr. Bruyn,	Mr. Horton,	Mr. Reeve,	Mr. Tyler,
Mr. Burling,	Mr. Hovey,	Mr. Robins,	Mr. Warner,
Mr. Clinton,	Mr. Hunt,	Mr. Savage,	Mr. Wheeler,
Mr. Coryell,	Mr. Jenkins,	Mr. A. Smith,	Mr. Williamſon. 50
Mr. De la Montagnie,	Mr. Lee,		

For the Affirmative.

Mr. Adams,	Mr. Fort,	Mr. Metcalfe,	Mr. Thomas,
Mr. J. Barker,	Mr. Gettman,	Mr. Moſſet,	Mr. Joel Thompſon,
Mr. W. Barker,	Mr. Gregory,	Mr. Morſe,	Mr. Vandervoort,
Mr. Bevier,	Mr. Halſey,	Mr. Pearſall,	Mr. Van Alſtyne,
Mr. Campbell,	Mr. Hatfield,	Mr. Pride,	Mr. Verplank,
Mr. Carman,	Mr. Heermance,	Mr. Roſs,	Mr. Volburgh,
Mr. Comſtock,	Mr. Hoag,	Mr. P. P. Schuyler,	Mr. Wendell,
Mr. Cornwell,	Mr. K. Hogeboom,	Mr. Skidmore,	Mr. Weſt,
Mr. Deitz,	Mr. Howard,	Mr. Snell,	Mr. Wood. 39
Mr. J. C. De Witt,	Mr. M'Farlan,	Mr. Ten Broeck,	

Mr. Fairlie reported further progreſs and obtained leave to ſit again.

Mr. Foot, from the committee to whom was referred the petition of William Wickham and others, inhabitants of the town of Hector, in the county of Onondaga, reported, that as a bill has been paſſed at the preſent ſeſſion, authorizing the inhabitants of the county of Onondaga to leaſe out the lots appropriated for the uſe of ſchools and the goſpel in the reſpective townſhips of ſaid county, it is therefore unneceſſary, in the opinion of the committee, that any ſpecial Legiſlative proviſion ſhould be made in favor of the petitioners.

A petition of Anthony Egberts and others, and a petition of Andries Houghtaling and others, inhabitants of the town of Coyemans, in the county of Albany, remonſtrating againſt the propoſed diviſion of the ſaid county, was read, and referred to the committee to whom was referred the bill entitled "*An act to erect part of the counties of Ulſter and Albany into a ſeparate county.*"

Mr. Griſwold, from the committee of the whole Houſe on the bill entitled "*An act to empower the Governor to provide for the entertainment of Indians viſiting the ſeat of government on buſineſs,*" reported, that after the ſaid bill had been read in the committee, the firſt enacting clauſe thereof was again read, and is in the words following, viz.

Be it enacted by the people of the State of New-York repreſented in Senate and Aſſembly, That it ſhall be lawful for the Comptroller of this State, and he is hereby directed to iſſue his warrant on the Treaſurer for ſuch ſum or ſums of money as his Excellency the Governor may find neceſſary, and direct to defray the expenſe of entertaining ſuch Indians as may viſit the ſeat of government on public buſineſs, not exceeding in any one year the ſum of dollars.

That debates were had thereon, and the queſtion being put whether the committee did agree thereto, it was carried in the affirmative in the manner following, viz.

For the Affirmative.

Mr. J. Barker,	Mr. Gettman,	Mr. Mitchell,	Mr. N. Smith,	
Mr. T. Barker,	Mr. Hall,	Mr. Morſe,	Mr. Speaker,	
Mr. Benton,	Mr. Heermance,	Mr. Ogden,	Mr. Ten Broeck,	
Mr. Brown,	Mr. Henry,	Mr. Pearſall,	Mr. Thomas,	
Mr. Campbell,	Mr. J. Hogeboom,	Mr. Potter,	Mr. Joel Thompſon,	
Mr. Carman,	Mr. Holly,	Mr. Prince,	Mr. Van Alſtyne,	
Mr. Clinton,	Mr. Holt,	Mr. Pride,	Mr. Verplank,	
Mr. Cornwell,	Mr. Horton,	Mr. Rice,	Mr. Warner,	
Mr. Coryell,	Mr. Howard,	Mr. Robins,	Mr. Wendell,	
Mr. Dietz,	Mr. Maſon,	Mr. P. P. Schuyler,	Mr. Weſt,	
Mr. J. C. De Witt,	Mr. M'Farlan,	Mr. Skidmore,	Mr. Williamſon,	
Mr. Dewey,	Mr. M'Neal,	Mr. T. Smith,	Mr. Wood.	51
Mr. Foot,	Mr. Micheau,	Mr. J. Smith,		

For the Negative.

Mr. Adams,	Mr. Burling,	Mr. Halſey,	Mr. Savage,	
Mr. Arcularius,	Mr. Clark,	Mr. K. Hogeboom,	Mr. A. Smith,	
Mr. Baldwin,	Mr. Comſtock,	Mr. Jenkins,	Mr. Snell,	
Mr. Barber,	Mr. De la Montagnie,	Mr. Lee,	Mr. Jeſſe Thompſon,	
Mr. W. Barker,	Mr. Fairlie,	Mr. M'Cord,	Mr. Iſrael Thompſon,	
Mr. Bevier,	Mr. Fort,	Mr. Moffet,	Mr. Tyler,	
Mr. Bruyn,	Mr. Gray,	Mr. Reeve,	Mr. Voſburgh.	28

That Mr. Speaker made a motion that the blank in the ſaid clauſe ſhould be filled with the words *one thouſand.*

That a motion was made, that the ſaid blank ſhould be filled with the words *five hundred.*

That the queſtion being put whether the committee did agree to the motion of Mr. Speaker, it was carried in the affirmative in the manner following, viz.

For the Affirmative.

Mr. T. Barker,	Mr. Foot,	Mr. M'Cord,	Mr. A. Smith,	
Mr. W. Barker,	Mr. Gettman,	Mr. M'Farlan,	Mr. T. Smith,	
Mr. Benton,	Mr. Hall,	Mr. M'Neal,	Mr. J. Smith,	
Mr. Brown,	Mr. Heermance,	Mr. Micheau,	Mr. Speaker,	
Mr. Burling,	Mr. Henry,	Mr. Mitchell,	Mr. Ten Broeck,	
Mr. Campbell,	Mr. K. Hogeboom,	Mr. Morſe,	Mr. Thomas,	
Mr. Carman,	Mr. Holly,	Mr. Ogden,	Mr. Joel Thompſon,	
Mr. Clinton,	Mr. Holt,	Mr. Pearſall,	Mr. Van Alſtyne,	
Mr. Cornwell,	Mr. Horton,	Mr. Potter,	Mr. Verplank,	
Mr. Coryell,	Mr. Hovey,	Mr. Prince,	Mr. Warner,	
Mr. Deitz,	Mr. Jenkins,	Mr. Pride,	Mr. Wendell,	
Mr. De la Montagnie,	Mr. Lee,	Mr. P. P. Schuyler,	Mr. Weſt,	
Mr. Dewey,	Mr. Maſon,	Mr. Skidmore,	Mr. Williamſon,	58
Mr. Fairlie,				

For the Negative.

Mr. Adams,	Mr. Clark,	Mr. Howard,	Mr. Snell,	
Mr. Arcularius,	Mr. Comſtock,	Mr. Moffet,	Mr. Jeſſe Thompſon,	
Mr. Baldwin,	Mr. J. C. De Witt,	Mr. Reeve,	Mr. Iſrael Thompſon,	
Mr. Barber,	Mr. Gray,	Mr. Rice,	Mr. Tyler,	
Mr. J. Barker,	Mr. Halſey,	Mr. Savage,	Mr. Voſburgh,	
Mr. Bevier,	Mr. J. Hogeboom,	Mr. N. Smith,	Mr. Wood.	25
Mr. Bruyn,				

Mr. Griſwold further reported, that the committee had gone through the bill, made amendments, added a clauſe, and altered the title, that the altered title is "*An act to empower the Governor to provide for the entertainment of Indians viſiting the ſeat of government of this State on buſineſs,*" which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

Reſolved, (if the Hon. the Senate concur herein) That the meſſage of his Excellency the Governor relative to the appointment of perſons to treat with the Oneida Indians for the purchaſe of a part of the lands reſerved to them, be referred to a joint committee of both houſes; and in caſe of ſuch concurrence that Mr. Williamſon, Mr. Mitchell, Mr. P. J. Schuyler, Mr. Verplank and Mr. Wood be of the ſaid committee on the part of this Houſe.

Ordered, That Mr. Skidmore and Mr. A. Smith deliver a copy of the preceding reſolution to the Hon. the Senate.

Then the Houſe adjourned until ten o'clock to-morrow morning.

Friday, ten o'clock, A. M. February 23d, 1798.

The engroſſed bill entitled "*An act to empower the Governor to provide for the entertainment of Indians viſiting the ſeat of Government of this State on buſineſs,*" was read the third time.

Reſolved, That the bill do paſs.

Ordered, That Mr. Skidmore and Mr. A. Smith deliver the bill to the Hon. the Senate and requeſt their concurrence.

The bill entitled "*An act for the regiſtry of Deeds in certain counties therein mentioned,*" and the bill entitled "*An act for the relief of Ebenezer Mott,*" were ſeverally read the ſecond time and committed to a committee of the whole Houſe.

A petition of Benajah Boardman and others, and a petition of James M'Knight and others, inhabitants of that part of the county of Onondaga lying between the Cayuga and Seneca Lakes, praying for the erection of a new county from parts of the counties of Onondaga and Ontario, were ſeverally read and referred to Mr. N. Smith, Mr. Halſey and Mr. Rice.

A petition of William Faulkner and others, inhabitants of the county of Ulſter, remonſtrating againſt the propoſed union of the ſouthern part of the ſaid county, and the northern part of the county of Orange into a ſeparate county, was read and referred to the committee to whom ſimilar petitions have been referred.

A repreſentation of Darius Benedict, relative to the planting of groves, was read and ordered to be tranſmitted to the Agricultural Society.

A meſſage from the Hon. the Senate, delivered by Mr. Ruſſell and Mr. Sands, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "*An act to amend the act entitled "An act to regulate buildings in certain limits of the city of Albany,*" with the amendments therewith delivered. The bill and amendments were read, and the amendments being read a ſecond time, were concurred in by the Houſe, and the bill amended accordingly.

Ordered, That Mr. A. Smith and Mr. T. Smith deliver the bill to the Hon. the Senate, and inform them that this Houſe have concurred in the amendments, and have amended the bill accordingly.

A meſſage from the Hon. the Senate, delivered by Mr. Ruſſell and Mr. Sands, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "*An act for dividing the town of Rocheſter, in the county of Ulſter;*" the ſaid bill was read the firſt time and ordered a ſecond reading.

The Houſe proceeded to the conſideration of the amendments of the Hon. the Senate to the bill entitled "*An act to amend the act entitled "An act to regulate highways.*" One of the ſaid amendments was to the ſecond clauſe, which was again read and is in the words following, viz.

"And be it further enacted, That every perſon ſubject by the act hereby amended to work on the highways, other than the overſeers of the highways for the time being, and who ſhall be aſſeſſed in manner preſcribed by ſaid act, ſhall work the whole number of days he ſhall be aſſeſſed, or commute for the ſame at the rate of ſeventy-five cents for each day, to be applied in the ſame manner as is directed by the act hereby amended, any former law to the contrary notwithſtanding.

The Senate amended the ſaid clauſe by ſtriking out the words "*ſeventy-five*" and ſubſtituting the word "*fifty.*" Debates were had thereon, and Mr. Speaker put the queſtion, whether the Houſe did agree to the ſaid amendment, and it paſſed in the negative in the manner following, viz.

For the Negative.

Mr. Adams,	Mr. Comſtock,	Mr. Hovey,	Mr. Rice,
Mr. Baldwin,	Mr. Cornwell,	Mr. Howard,	Mr. Robins,
Mr. Barber,	Mr. Deitz,	Mr. Hunt,	Mr. Savage,
Mr. J. Barker,	Mr. De la Montagnie,	Mr. Jenkins,	Mr. P. P. Schuyler,
Mr. T. Barker,	Mr. Fairlie,	Mr. Lee,	Mr. Skidmore,
Mr. W. Barker,	Mr. Fonda,	Mr. M'Cord,	Mr. T. Smith,
Mr. Benton,	Mr. Foot,	Mr. M'Farlan,	Mr. Storm,
Mr. Bowman,	Mr. Gettman,	Mr. M'Neal,	Mr. Iſrael Thompſon,
Mr. Boyd,	Mr. Gregory,	Mr. Micheau,	Mr. Joel Thompſon,
Mr. Burling,	Mr. Griſwold,	Mr. Miller,	Mr. Vandervoort,
Mr. Campbell,	Mr. Halſey,	Mr. Morſe,	Mr. Voſburgh,
Mr. Carman,	Mr. Henry,	Mr. Pearſall,	Mr. Warner,
Mr. Clark,	Mr. Hoag,	Mr. Prince,	Mr. Weſt,
Mr. Clinton,	Mr. Holt,	Mr. Pride,	Mr. Williamſon,
Mr. Coe,	Mr. Horton,	Mr. Reeve,	Mr. Wood.

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For the Affirmative.

Mr. Bevier,	Mr. J. C. De Witt,	Mr. K. Hogeboom,	Mr. Teed,	
Mr. Brown,	Mr. Dewey,	Mr. Mitchell,	Mr. Ten Broeck,	
Mr. Bruyn,	Mr. Fort,	Mr. Ogden,	Mr. Thomas,	
Mr. Burt,	Mr. Gray,	Mr. Potter,	Mr. Jeſſe Thompſon,	
Mr. Clifft,	Mr. Hatfield,	Mr. A. Smith,	Mr. Van Alſtyne,	
Mr. Coryell,	Mr. Heermance,	Mr. J. Smith,	Mr. Verplank,	26
Mr. J. A. De Witt,	Mr. J. Hogeboom,			

Another of the amendments of the Hon. the Senate to the ſaid bill, was, to expunge a clauſe thereof, which was read, and is in the words following, viz.

And be it further enacted, That ſo much of the act hereby amended as reſpects the alterations of waggons, ſhall be, and the ſame is hereby repealed.

Debates were had thereon, and Mr. Speaker put the queſtion whether the Houſe did agree to the ſaid amendment, and it paſſed in the negative in the manner following, viz.

For the Negative.

Mr. Adams,	Mr. Dietz,	Mr. Lee,	Mr. T. Smith,	
Mr. Baldwin,	Mr. De la Montagnie,	Mr. M'Cord,	Mr. J. Smith,	
Mr. Barber,	Mr. Fairlie,	Mr. Miller,	Mr. Storm,	
Mr. J. Barker,	Mr. Fort,	Mr. Mitchell,	Mr. Teed,	
Mr. W. Barker,	Mr. Gettman,	Mr. Ogden,	Mr. Ten Broeck,	
Mr. Benton,	Mr. Gray,	Mr. Pearſall,	Mr. Thomas,	
Mr. Bevier,	Mr. Gregory,	Mr. Potter,	Mr. Jeſſe Thompſon,	
Mr. Carman,	Mr. Heermance,	Mr. Pride,	Mr. Iſrael Thompſon,	
Mr. Clark,	Mr. Henry,	Mr. Rice,	Mr. Van Alſtyne,	
Mr. Clifft,	Mr. Hoag,	Mr. Savage,	Mr. Verplank,	
Mr. Clinton,	Mr. J. Hogeboom,	Mr. P. P. Schuyler,	Mr. Volburgh,	
Mr. Comſtock,	Mr. K. Hogeboom,	Mr. Skidmore,	Mr. Warner,	
Mr. Cornwell,	Mr. Jenkins,	Mr. A. Smith,	Mr. Weſt.	52

For the Affirmative.

Mr. T. Barker,	Mr. J. A. De Witt,	Mr. Holt,	Mr. Prince,	
Mr. Bowman,	Mr. J. C. De Witt,	Mr. Horton,	Mr. Reeve,	
Mr. Boyd,	Mr. Dewey,	Mr. Hovey,	Mr. Robins,	
Mr. Brown,	Mr. Fonda,	Mr. Howard,	Mr. N. Smith,	
Mr. Bruyn,	Mr. Foot,	Mr. Hunt,	Mr. Joel Thompſon,	
Mr. Burling,	Mr. Griſwold,	Mr. M'Farlan,	Mr. Tyler,	
Mr. Burt,	Mr. Hall,	Mr. M'Neal,	Mr. Vandervoort,	
Mr. Campbell,	Mr. Halſey,	Mr. Micheau,	Mr. Williamſon,	
Mr. Coe,	Mr. Hatfield,	Mr. Morſe,	Mr. Wood.	37
Mr. Coryell,				

Another of the ſaid amendments was to expunge a clauſe in the ſaid bill, which was read, and is in the words following, viz.

And be it further enacted, That whenever the ſuperintendants ſhall lay before the ſuperviſors an eſtimate of the ſums deemed neceſſary for the purpoſes in the ſaid act ſpecified, it ſhall be in the diſcretion of the ſuperviſors to cauſe to be raiſed the whole or ſuch part only of ſuch ſums as ſhall in their opinion be expedient, and that nothing in the ſaid act contained ſhall be conſtrued to give to the ſaid ſuperintendants a power to direct the amount of the ſum or ſums to be levied or collected.

Debates were had thereon, and Mr. Speaker put the queſtion whether the Houſe did agree to the ſaid amendment, which was carried in the affirmative in the manner following, viz.

For the Affirmative.

Mr. Benton,	Mr. Fort,	Mr. Miller,	Mr. Skidmore,	
Mr. Bowman,	Mr. Gettman,	Mr. Mitchell,	Mr. J. Smith,	
Mr. Brown,	Mr. Gray,	Mr. Moſſet,	Mr. N. Smith,	
Mr. Campbell,	Mr. Griſwold,	Mr. Morſe,	Mr. Thomas,	
Mr. Carman,	Mr. Hall,	Mr. Ogden,	Mr. Jeſſe Thompſon,	
Mr. Clifft,	Mr. Henry,	Mr. Pearſall,	Mr. Joel Thompſon,	
Mr. Clinton,	Mr. Hoag,	Mr. Potter,	Mr. Tyler,	
Mr. Coe,	Mr. Holt,	Mr. Prince,	Mr. Vandervoort,	
Mr. Cornwell,	Mr. Howard,	Mr. Pride,	Mr. Verplank,	
Mr. Coryell,	Mr. Jenkins,	Mr. Rice,	Mr. Wendell,	
Mr. Dewey,	Mr. Maſon,	Mr. Robins,	Mr. Williamſon,	
Mr. Fonda,	Mr. M'Neal,	Mr. Roſs,	Mr. Wood.	50
Mr. Foot,	Mr. Micheau,			

For the Negative.

Mr. Adams,	Mr. Burt,	Mr. K. Hogeboom,	Mr. Storm,
Mr. Baldwin,	Mr. Comſtock,	Mr. Hovey,	Mr. Teed,
Mr. Barber,	Mr. De la Montagnie,	Mr. Hunt,	Mr. Ten Broeck,
Mr. J. Barker,	Mr. J. A. De Witt,	Mr. Lee,	Mr. Iſrael Thompſon,
Mr. T. Barker,	Mr. J. C. De Witt,	Mr. M'Cord,	Mr. Van Alſtyne,
Mr. W. Barker,	Mr. Fairlie,	Mr. Reeve,	Mr. Voſburgh,
Mr. Bevier,	Mr. Halſey,	Mr. Savage,	Mr. Warner,
Mr. Boyd,	Mr. Hatfield,	Mr. P. P. Schuyler,	Mr. Weſt,
Mr. Bruyn,	Mr. Heermance,	Mr. A. Smith,	Mr. Wheeler. 39
Mr. Burling,	Mr. J. Hogeboom,	Mr. T. Smith,	

Thereupon, *Reſolved*, That this Houſe do concur in ſuch of the amendments of the Hon. the Senate to the ſaid bill, as are for that purpoſe deſignated in the margin of the ſaid amendments, and do not concur in the other amendments.

Ordered, That Mr. N. Smith and Mr. Snell deliver the bill, amendments, and a copy of the preceding reſolution, to the Hon. the Senate.

The Houſe proceeded to the reconſideration of the amendment of this Houſe to the bill entitled "*An act concerning Quit Rents*," which was not concurred in by the Hon. the Senate.

The ſaid amendment was to the ſecond clauſe, which was again read, and is in the words following, viz.

And be it further enacted, That where any tract of land, chargeable with quit rent, was originally granted to ſeveral perſons, and ſhall have been divided into as many ſhares as there were original proprietors in the grant, it ſhall be lawful for the owners or proprietors of the ſhare of any of the original grantees to commute for the quit rent on ſuch ſhare in manner aforeſaid; and where the quit rent reſerved by any grant or patent of any tract of land, is according to the quantity, or by the acre, it ſhall be lawful for the owners or proprietors of any divided part thereof to commute for the quit rent of ſuch part in manner aforeſaid, and alſo to pay the arrears of quit rent on ſuch divided part, but no perſon ſhall be permitted to commute for the quit rent on any patent, or any part thereof, without firſt paying the arrears of quit rent then due thereon. This Houſe amended the ſaid clauſe by adding thereto, the following words, viz. "either in money or in any of the ſtock created under the authority of the United States of America, at the nominal value thereof," which being read and reconſidered, and debates had thereon, Mr. Speaker put the queſtion whether the Houſe did recede from their ſaid amendment, which paſſed in the negative in the manner following, viz.

For the Negative.

Mr. Adams,	Mr. Clinton,	Mr. J. Hogeboom,	Mr. Roſs,
Mr. Baldwin,	Mr. Comſtock,	Mr. K. Hogeboom,	Mr. Savage,
Mr. Barber,	Mr. Coryell,	Mr. Holt,	Mr. T. Smith,
Mr. J. Barker,	Mr. Dewey,	Mr. Horton,	Mr. N. Smith,
Mr. T. Barker,	Mr. Fonda,	Mr. Hovey,	Mr. Ten Broeck,
Mr. W. Barker,	Mr. Fort,	Mr. Hunt,	Mr. Iſrael Thompſon,
Mr. Benton,	Mr. Gettman,	Mr. Lee,	Mr. Joel Thompſon,
Mr. Bevier,	Mr. Gregory,	Mr. Maſon,	Mr. Tyler,
Mr. Bowman,	Mr. Griſwold,	Mr. Miller,	Mr. Van Alſtyne,
Mr. Boyd,	Mr. Hall,	Mr. Morſe,	Mr. Verplank,
Mr. Burt,	Mr. Hatfield,	Mr. Prince,	Mr. Voſburgh,
Mr. Campbell,	Mr. Henry,	Mr. Pride,	Mr. Wheeler. 51
Mr. Clifft,	Mr. Hoag,	Mr. Rice,	

For the Affirmative.

Mr. Brown,	Mr. Halſey,	Mr. Moffet,	Mr. Storm,
Mr. Bruyn,	Mr. Heermance,	Mr. Ogden,	Mr. Teed,
Mr. Carman,	Mr. Howard,	Mr. Pearſall,	Mr. Thomas,
Mr. Coe,	Mr. Jenkins,	Mr. Potter,	Mr. Jeſſe Thompſon,
Mr. Cornwell,	Mr. M'Cord,	Mr. Reeve,	Mr. Vandervoort,
Mr. De la Montagnie,	Mr. M'Farlan,	Mr. Robins,	Mr. Warner,
Mr. J. A. De Witt,	Mr. M'Neal,	Mr. Skidmore,	Mr. Weſt,
Mr. J. C. De Witt,	Mr. Micheau,	Mr. A. Smith,	Mr. Williamſon,
Mr. Fairlie,	Mr. Mitchell,	Mr. J. Smith,	Mr. Wood. 37
Mr. Gray,			

Thereupon, *Reſolved*, That this Houſe do adhere to their amendment not concurred in by the Hon. the Senate.

Ordered, That Mr. N. Smith and Mr. Snell deliver the bill, amendments, and a copy of the preceding reſolution, to the Hon. the Senate.

The Houſe proceeded to the conſideration of the report of the committee on the memorial of Lewis A. Scott, Eſq. Secretary of this State; the ſame was again read: Thereupon, *Reſolved*, That this Houſe do agree with the committee in their ſaid report.

Ordered, That the ſaid committee do prepare and bring in a clauſe conformable to the ſaid report, to be added to ſome proper bill for that purpoſe.

A copy of a reſolution of the Hon. the Senate, delivered by Mr. Sanger and Mr. Savage, was read, that the Senate do concur with this Houſe in their reſolution as entered on the journals yeſterday, referring the meſſage of his Excellency the Governor relative to the appointment of perſons to treat with the Oneida Indians for the purchaſe of part of the lands reſerved to them, to a committee of both houſes, and that Mr. L'Hommedieu, Mr. T. Morris and Mr. Tillotſon be of the ſaid committee on the part of the Senate.

Mr. Savage from the committee to whom was referred the petition of the truſtees of the Preſbyterian congregation of the town of Bedford, in the county of Weſtcheſter, reported in favor of the petitioners, and obtained leave to bring in a bill entitled "*An act to prevent the evils ariſing from the diſſolution of any religious corporation within this State,*" which was read the firſt time and ordered a ſecond reading.

Mr. Griſwold, from the committee to whom were referred the ſeveral petitions of the inhabitants of the counties of Ulſter and Orange, relative to the erection of a new county from parts of the ſaid counties; and to whom were alſo referred the bill entitled "*An act to erect part of the counties of Ulſter and Albany into a ſeparate county,*" and the petitions remonſtrating againſt the ſame, reported, that the committee had agreed to a bill entitled "*An act to erect part of the counties of Orange and Ulſter into a ſeparate county,*" and alſo to the bill entitled "*An act to erect part of the counties of Ulſter and Albany into a ſeparate county,*" and that he was directed to move for leave to bring in the ſaid bill; leave being given, Mr. Griſwold brought in the ſaid bills, which were read the firſt time and ordered a ſecond reading.

Mr. Storm, from the committee to whom was referred the petition of Theophilus Brower and others, reported in favor of the petitioners, and obtained leave to bring in a bill entitled "*An act for the inſpection of fiſh,*" which was read the firſt time and ordered a ſecond reading.

Ordered, That the committee to whom were referred the ſeveral petitions of the inhabitants of Clinton county, relative to authorizing the ſale of wild lands for defraying county charges, be diſcharged from the further conſideration thereof, and that the ſame be committed to a committee of the whole Houſe when on the bill entitled "*An act more effectually to provide for the improvement of roads and bridges in certain counties therein mentioned.*"

Mr. Wheeler, from the committee to whom was referred the petition of Joſeph Annin and others, reported in favor of the petitioners, and obtained leave to bring in a bill entitled "*An act authorizing the Treaſurer of this State to diſcharge a certain mortgage therein mentioned,*" which was read the firſt time and ordered a ſecond reading.

Mr. Wheeler, from the committee to whom was referred the petition of James S. Kip and others, reported in favor of the petitioners and obtained leave to bring in a bill entitled "*An act to veſt certain powers in the freeholders and inhabitants of the village commonly known by the name of Old Fort Schuyler,*" which was read the firſt time and ordered a ſecond reading.

Mr. Fairlie from the committee of the whole Houſe on the bill entitled "*An act for the appointment of a Treaſurer,*" reported, that in proceeding in the ſaid bill, a clauſe thereof which had been agreed to, was again read, and is in the words following, viz.

And be it further enacted, That the ſaid , ſhall be allowed as a compenſation for his ſervices and expenſes, including clerk-hire, office-hire and ſtationary, the ſum of dollars a year, in quarter yearly payments, to be drawn on the order of the Comptroller as the ſame ſhall become due.

That Mr. Wood made a motion that the laſt blank in the ſaid clauſe ſhould be filled with the words "*fifteen hundred.*"

That Mr. Mitchell made a motion that the ſaid blank ſhould be filled up with the words "*one thouſand two hundred and fifty.*"

That Mr. Comſtock made a motion that the ſaid blank ſhould be filled up with the words "*one thouſand.*"

That the queſtion being put on the motion of Mr. Wood, it paſſed in the negative.

That the queſtion being then put on the motion of Mr. Mitchell, it was carried in the affirmative in the manner following, viz.

For the Affirmative.

Mr. Benton,	Mr. Heermance,	Mr. Miller,	Mr. N. Smith,
Mr. Boyd,	Mr. Henry,	Mr. Mitchell,	Mr. Speaker,
Mr. Campbell,	Mr. Hoag,	Mr. Morſe,	Mr. Teed,
Mr. Carman,	Mr. J. Hogeboom,	Mr. Ogden,	Mr. Thomas,
Mr. Clinton,	Mr. K. Hogeboom,	Mr. Pearſall,	Mr. Tyler,
Mr. Coe,	Mr. Horton,	Mr. Potter,	Mr. Verplank,
Mr. Cornwell,	Mr. Hovey,	Mr. Prince,	Mr. Warner,
Mr. Coryell,	Mr. Howard,	Mr. Reeve,	Mr. Weſt,
Mr. J. A. De Witt,	Mr. Jenkins,	Mr. Rice,	Mr. Wheeler,
Mr. Dewey,	Mr. M'Farlan,	Mr. Roſs,	Mr. Williamſon,
Mr. Griſwold,	Mr. M'Neal,	Mr. Skidmore,	Mr. Wood.
Mr. Hall,			

For the Negative.

Mr. Adams,	Mr. Clifft,	Mr. Hunt,	Mr. T. Smith,
Mr. Baldwin,	Mr. Comſtock,	Mr. Lee,	Mr. J. Smith,
Mr. Barber,	Mr. De la Montagnie,	Mr. Maſon,	Mr. Storm,
Mr. J. Barker,	Mr. J. C. De Witt,	Mr. M'Cord,	Mr. Ten Broeck,
Mr. T. Barker,	Mr. Fort,	Mr. Micheau,	Mr. Jeſſe Thompſon,
Mr. W. Barker,	Mr. Gertman,	Mr. Moffet,	Mr. Iſrael Thompſon,
Mr. Bevier,	Mr. Gray,	Mr. Pride,	Mr. Joel Thompſon,
Mr. Bowman,	Mr. Gregory,	Mr. Robins,	Mr. Vandervoort,
Mr. Bruyn,	Mr. Halley,	Mr. Savage,	Mr. Van Alſtyne,
Mr. Burling,	Mr. Hatfield,	Mr. A. Smith,	Mr. Vosburgh.
Mr. Burt,	Mr. Holt,		

Mr. Fairlie reported further progreſs and obtained leave to ſit again.

Ordered, That it be the order of the day on Wedneſday next for this Houſe to reſolve itſelf into a committee of the whole Houſe on the ſaid bill.

The Hon. the Senate returned by Mr. Savage and Mr. Schenck the bill entitled "*An act to amend the act entitled "An act to regulate buildings in certain limits of the city of Albany.*"

Ordered, That Mr. J. Smith and Mr. N. Smith deliver the bill to the Hon. the Council of Reviſion.

Mr. Benton, from the committee of the whole Houſe on the bill entitled "*An act to regulate the returning and impannelling of Jurors for the trial of iſſues,*" reported, that in proceeding in the ſaid bill, a clauſe thereof was read, and is in the words following, viz.

And be it further enacted, That it ſhall be the duty of every Clerk of the Courts in the ſeveral counties in this State, (the city and county of New-York excepted) to furniſh any perſon or perſons applying with a copy of the pannel of the jurors to ſerve on the trial of iſſues in any of the ſaid Courts; and for every copy ſo furniſhed, he ſhall be entitled to demand and receive cents, and no more, from the perſon or perſons ſo applying for the ſame.

That Mr. Maſon made a motion, that the ſaid clauſe ſhould be expunged. That debates were had thereon, and the queſtion being put, whether the committee did agree thereto, it paſſed in the negative in the manner following, viz.

For the Negative.

Mr. Barber,	Mr. De la Montagnie,	Mr. M'Cord,	Mr. Storm,
Mr. T. Barker,	Mr. J. A. De Witt,	Mr. M'Neal,	Mr. Speaker,
Mr. W. Barker,	Mr. J. C. De Witt,	Mr. Mitchell,	Mr. Jeſſe Thompſon,
Mr. Bevier,	Mr. Fairlie,	Mr. Moffet,	Mr. Iſrael Thompſon,
Mr. Brown,	Mr. Fonda,	Mr. Morſe,	Mr. Vandervoort,
Mr. Bruyn,	Mr. Fort,	Mr. Ogden,	Mr. Van Alſtyne,
Mr. Campbell,	Mr. Gray,	Mr. Potter,	Mr. Verplank,
Mr. Clifft,	Mr. Gregory,	Mr. Skidmore,	Mr. Weſt,
Mr. Clinton,	Mr. J. Hogeboom,	Mr. A. Smith,	Mr. Wood.
Mr. Coryell,	Mr. Jenkins,		

For the Affirmative.

Mr. Adams,	Mr. Hall,	Mr. Maſon,	Mr. Savage,
Mr. Baldwin,	Mr. Halſey,	Mr. Micheau,	Mr. N. Smith,
Mr. J. Barker,	Mr. Hatfield,	Mr. Miller,	Mr. Teed,
Mr. Burling,	Mr. Hoag,	Mr. Pearſall,	Mr. Ten Broeck,
Mr. Burt,	Mr. Horton,	Mr. Pride,	Mr. Joel Thompſon,
Mr. Carman,	Mr. Howard,	Mr. Reeve,	Mr. Tyler,
Mr. Coe,	Mr. Hunt,	Mr. Rice,	Mr. Vosburgh,
Mr. Comſtock,	Mr. Lee,	Mr. Roſs,	Mr. Wheeler. 33
Mr. Dewey,			

Mr. Benton reported further progreſs, and obtained leave to ſit again.

Ordered, That it be the order of the day on to-morrow for this Houſe to reſolve itſelf into a committee of the whole Houſe on the ſaid bill.

Mr. Wood purſuant to notice by him for that purpoſe heretofore given, moved for and obtained leave to bring in a bill entitled "*An act relative to the Courts of Common Pleas and General Seſſions of the Peace, in ſeveral counties in the Southern Diſtrict of this State*," which was read the firſt time and ordered a ſecond reading.

Mr. Maſon from the committee of the whole Houſe on the bill entitled "*An act more effectually to diſcover and apprehend offenders in the city of New-York*," reported, that the committee had gone through the bill and made amendments, which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the amendments be engroſſed.

Then the Houſe adjourned until ten o'clock to-morrow morning.

Saturday, ten o'clock, A. M. February 24th, 1798.

The bill entitled "*An act more effectually to diſcover and apprehend offenders in the city of New-York*," with the engroſſed amendments, was read the third time.

Reſolved, That the bill do paſs.

Ordered, That Mr. N. Smith and Mr. Snell deliver the bill to the Hon. the Senate, and inform them that this Houſe have paſſed the ſame with the amendments therewith delivered.

The bill entitled "*An act for the inſpection of fiſh;*" the bill entitled "*An act relative to the Courts of Common Pleas and General Seſſions of the Peace, in ſeveral counties in the Southern Diſtrict of this State;*" the bill entitled "*An act authorizing the Treaſurer of this State to diſcharge a certain mortgage therein mentioned;*" the bill entitled "*An act to prevent the evils ariſing from the diſſolution of any religious corporation within this State;*" the bill entitled "*An act to veſt certain powers in the freeholders and inhabitants of the village commonly known by the name of Old Fort Schuyler;*" the bill entitled "*An act to erect part of the counties of Orange and Ulſter into a ſeparate county;*" the bill entitled "*An act to erect part of the counties of Albany and Ulſter into a ſeparate county*," and the bill entitled "*An act for dividing the town of Rocheſter, in the county of Ulſter*," were ſeverally read the ſecond time and committed to a committee of the whole Houſe.

A petition of Rynier and Matthias Nack, relative to a claim againſt this State for money improperly aſſeſſed and collected from them on account of what was commonly called the partial tax, was read and referred to Mr. De la Montagnie, Mr. Coe and Mr. T. Smith.

A petition of Andrew Finck, praying a grant of bounty lands for his ſervices as inſpector, with the rank of Major, to the troops raiſed by this State on bounties of unappropriated lands, was read and referred to the committee of the whole Houſe, when on the bill entitled "*An act for the relief of certain officers of the regiment of State Troops, commanded by Col. Marinus Willett.*"

A petition of Thomas Lottridge, praying that a law may be paſſed granting him relief, with reſpect to the impriſonment of his perſon for debt in the gaol of the city and county of Albany, where he has been confined for upwards of ten years, was read and referred to Mr. Metcalfe, Mr. Burr, Mr. Bird, Mr. Bowman and Mr. Wood.

A petition of James Upjohn, an alien, praying to be enabled by law to purchaſe and hold real eſtates within this State, was read and referred to the committee of the whole Houſe, when on the bill entitled "*An act to enable certain perſons therein named to purchaſe and hold real eſtates within this State.*"

A petition of Ezra Patterſon and others, inhabitants of the county of Ontario, praying for the erection of a ſeparate county from parts of the counties of Onondoga

and Ontario, was read and committed to a committee of the whole Houſe, when on the bill entitled "*An act for dividing the county of Onondaga.*"

A petition of William Barber, of the county of Dutcheſs, praying a grant of lands for his ſervices during the late war; and a petition of John Kennelly, praying a grant of bounty lands for the ſervices of his father, Patrick Kennelly, in Col. Moſes Hazen's regiment during the late war, were ſeverally read and referred to Mr. Hatfield, Mr. Burr and Mr. Snell.

Mr. Savage, from the committee to whom were referred ſundry petitions, praying grants of vacant lands, reported in favor of the petitioners, and obtained leave to bring in a bill entitled "*An act to amend the act entitled "An act for the further ſale of the unappropriated lands of this State,*" which was read the firſt time and ordered a ſecond reading.

Mr. M'Cord, from the committee to whom was referred the petition of Benjamin Depuy and others, reported in favor of the petitioners, and obtained leave to bring in a clauſe to be added to the bill entitled "*An act for dividing the town of Rocheſter, in the county of Ulſter.*"

Mr. Clinton, in behalf of Mr. Burr, from the committee to whom was referred the petition of the fire-men of the city of New-York, reported in favor of the petitioners, and obtained leave to bring in a bill entitled "*An act to incorporate the Fire-Men of the city of New-York,*" which was read the firſt time and ordered a ſecond reading.

Mr. Benton, from the committee of the whole Houſe, on the bill entitled "*An act to regulate the returning and impannelling of Jurors for the trial of Iſſues,*" reported, that in proceeding in the ſaid bill, a clauſe thereof, which had been agreed to, was read, and is in the words following, viz.

"And be it further enacted, That each juror ſhall be entitled to receive, in every cauſe he ſhall be ſworn to try, the ſum of in lieu of the compenſation now granted by law, and to be paid in like manner.

That Mr. Comſtock made a motion that the blank in the ſaid clauſe ſhould be filled with the words "*fifty cents.*"

That Mr. Thomas made a motion that the ſaid blank ſhould be filled with the words "*forty-five cents.*"

That Mr. Savage made a motion that the ſaid blank ſhould be filled with the words "*forty cents.*"

That Mr. Griſwold made a motion that the ſaid blank ſhould be filled with the words "*thirty-ſeven and an half cents.*"

That the queſtion being put on the motion of Mr. Comſtock, it paſſed in the negative in the manner following, viz.

For the Negative.

Mr. W. Barker,	Mr. Ponda,	Mr. Maſon,	Mr. Speaker,
Mr. Bevier,	Mr. Fort,	Mr. M'Farlan,	Mr. Ten Broeck,
Mr. Boyd,	Mr. Gettman,	Mr. Micheau,	Mr. Jeſſe Thompſon,
Mr. Burling,	Mr. Gray,	Mr. Miller,	Mr. Iſrael Thompſon,
Mr. Burt,	Mr. Griſwold,	Mr. Mitchell,	Mr. Joel Thompſon,
Mr. Campbell,	Mr. Halſey,	Mr. Moſſet,	Mr. Tyler,
Mr. Clinton,	Mr. Heermance,	Mr. Ogden,	Mr. Vandervoort,
Mr. Coe,	Mr. J. Hogeboom,	Mr. Pearſall,	Mr. Voſburgh,
Mr. Cornwell,	Mr. K. Hogeboom,	Mr. Potter,	Mr. Warner,
Mr. Coryell,	Mr. Holt,	Mr. Robins,	Mr. Wendell,
Mr. De la Montagnie,	Mr. Horton,	Mr. Roſs,	Mr. Wheeler,
Mr. J. A. De Witt,	Mr. Hunt,	Mr. Skidmore,	Mr. Williamſon,
Mr. Dewey,	Mr. Lee,	Mr. Storm,	Mr. Wood, 33
Mr. Fairlie,			

For the Affirmative.

Mr. Adams,	Mr. J. C. De Witt,	Mr. M'Cord,	Mr. T. Smith,
Mr. Barber,	Mr. Gregory,	Mr. M'Neal,	Mr. J. Smith,
Mr. J. Barker,	Mr. Hall,	Mr. Pride,	Mr. N. Smith,
Mr. Brown,	Mr. Hatfield,	Mr. Reeve,	Mr. Teed,
Mr. Bruyn,	Mr. Henry,	Mr. Rice,	Mr. Thomas,
Mr. Carman,	Mr. Hovey,	Mr. Savage,	Mr. Van Alſtyne,
Mr. Clift,	Mr. Howard,	Mr. P. P. Schuyler,	Mr. Weſt. 31
Mr. Comſtock,	Mr. Jenkins,	Mr. A. Smith,	

That the queſtion being put on the motion of Mr. Thomas, it paſſed in the negative in the manner following, viz.

For the Negative.

Mr. Bevier,	Mr. Gettman,	Mr. Mitchell,	Mr. Jeſſe Thompſon,
Mr. Bowman,	Mr. Gray,	Mr. Moſſet,	Mr. Iſrael Thompſon,
Mr. Burling,	Mr. Griſwold,	Mr. Ogden,	Mr. Joel Thompſon,
Mr. Burt,	Mr. Halſey,	Mr. Pearſall,	Mr. Tyler,
Mr. Campbell,	Mr. Heermance,	Mr. Potter,	Mr. Vandervoort,
Mr. Cornwell,	Mr. J. Hogeboom,	Mr. Rice,	Mr. Van Alſtyne,
Mr. Coryell,	Mr. K. Hogeboom,	Mr. Robins,	Mr. Voſburgh,
Mr. De la Montagnie,	Mr. Hunt,	Mr. Roſs,	Mr. Warner,
Mr. J. A. De Witt,	Mr. Lee,	Mr. Skidmore,	Mr. Wendell,
Mr. Dewey,	Mr. Maſon,	Mr. Storm,	Mr. Wheeler,
Mr. Fairlie,	Mr. M'Farlan,	Mr. Speaker,	Mr. Williamſon,
Mr. Fonda,	Mr. Micheau,	Mr. Ten Broeck,	Mr. Wood. 50
Mr. Fort,	Mr. Miller,		

For the Affirmative.

Mr. Adams,	Mr. Coe,	Mr. Hovey,	Mr. P. P. Schuyler,
Mr. Barber,	Mr. Comſtock,	Mr. Howard,	Mr. A. Smith,
Mr. J. Barker,	Mr. J. C. De Witt,	Mr. Jenkins,	Mr. T. Smith,
Mr. W. Barker,	Mr. Foot,	Mr. M'Cord,	Mr. J. Smith,
Mr. Boyd,	Mr. Gregory,	Mr. M'Neal,	Mr. N. Smith,
Mr. Bruyn,	Mr. Hall,	Mr. Pride,	Mr. Teed,
Mr. Carman,	Mr. Hatfield,	Mr. Reeve,	Mr. Thomas,
Mr. Clifft,	Mr. Henry,	Mr. Savage,	Mr. Weſt. 34
Mr. Clinton,	Mr. Horton,		

That the queſtion being put on the motion of Mr. Savage, it paſſed in the negative in the manner following, viz.

For the Negative.

Mr. Bevier,	Mr. Fonda,	Mr. Micheau,	Mr. Jeſſe Thompſon,
Mr. Bowman,	Mr. Fort,	Mr. Miller,	Mr. Iſrael Thompſon,
Mr. Burling,	Mr. Gettman,	Mr. Ogden,	Mr. Joel Thompſon,
Mr. Burt,	Mr. Gray,	Mr. Pearſall,	Mr. Tyler,
Mr. Campbell,	Mr. Griſwold,	Mr. Potter,	Mr. Vandervoort,
Mr. Cornwell,	Mr. Halſey,	Mr. Rice,	Mr. Voſburgh,
Mr. Coryell,	Mr. Heermance,	Mr. Robins,	Mr. Warner,
Mr. De la Montagnie,	Mr. J. Hogeboom,	Mr. Roſs,	Mr. Wendell,
Mr. J. A. De Witt,	Mr. Hunt,	Mr. Skidmore,	Mr. Wheeler,
Mr. Dewey,	Mr. Lee,	Mr. Storm,	Mr. Williamſon,
Mr. Fairlie,	Mr. M'Farlan,	Mr. Ten Broeck,	Mr. Wood. 44

For the Affirmative.

Mr. Adams,	Mr. Comſtock,	Mr. Hovey,	Mr. Savage,
Mr. Barber,	Mr. J. C. De Witt,	Mr. Howard,	Mr. P. P. Schuyler,
Mr. J. Barker,	Mr. Foot,	Mr. Jenkins,	Mr. A. Smith,
Mr. W. Barker,	Mr. Gregory,	Mr. Maſon,	Mr. T. Smith,
Mr. Boyd,	Mr. Hall,	Mr. M'Cord,	Mr. J. Smith,
Mr. Brown,	Mr. Hatfield,	Mr. M'Neal,	Mr. N. Smith,
Mr. Bruyn,	Mr. Henry,	Mr. Mitchell,	Mr. Teed,
Mr. Carman,	Mr. K. Hogeboom,	Mr. Moffet,	Mr. Thomas,
Mr. Clifft,	Mr. Holt,	Mr. Pride,	Mr. Van Alſtyne,
Mr. Clinton,	Mr. Horton,	Mr. Reeve,	Mr. Weſt. 41
Mr. Coe,			

That the queſtion being put on the motion of Mr. Griſwold, it was carried in the affirmative in the manner following, viz.

For the Affirmative.

Mr. Adams,	Mr. Dewey,	Mr. M'Cord,	Mr. J. Smith,
Mr. Barber,	Mr. Foot,	Mr. M'Neal,	Mr. T. Smith,
Mr. J. Barker,	Mr. Fort,	Mr. Mitchell,	Mr. N. Smith,
Mr. W. Barker,	Mr. Gray,	Mr. Moffet,	Mr. Teed,
Mr. Boyd,	Mr. Gregory,	Mr. Ogden,	Mr. Ten Broeck,
Mr. Brown,	Mr. Griſwold,	Mr. Potter,	Mr. Thomas,
Mr. Bruyn,	Mr. Henry,	Mr. Pride,	Mr. Jeſſe Thompſon,
Mr. Campbell,	Mr. K. Hogeboom,	Mr. Reeve,	Mr. Iſrael Thompſon,
Mr. Carman,	Mr. Holt,	Mr. Rice,	Mr. Joel Thompſon,
Mr. Clifft,	Mr. Horton,	Mr. Robins,	Mr. Van Alſtyne,
Mr. Clinton,	Mr. Hovey,	Mr. Savage,	Mr. Verplank,
Mr. Coe,	Mr. Howard,	Mr. P. P. Schuyler,	Mr. Warner,
Mr. Comſtock,	Mr. Jenkins,	Mr. Skidmore,	Mr. Weſt,
Mr. Cornwell,	Mr. Maſon,	Mr. A. Smith,	Mr. Williamſon. 57
Mr. J. C. De Witt,			

For the Negative.

Mr. Bevier,	Mr. Fonda,	Mr. Lee.	Mr. Speaker,
Mr. Bowman,	Mr. Gettman,	Mr. M'Farlan,	Mr. Tyler,
Mr. Burling,	Mr. Hall,	Mr. Micheau,	Mr. Vandervoort,
Mr. Burt,	Mr. Halſey,	Mr. Miller,	Mr. Voſburgh,
Mr. Coryell,	Mr. Hatfield,	Mr. Pearſall,	Mr. Wendell,
Mr. De la Montagnie,	Mr. Heermance,	Mr. Roſs,	Mr. Wheeler,
Mr. J. A. De Witt,	Mr. J. Hogeboom,	Mr. Storm,	Mr. Wood. 30
Mr. Fairlie,	Mr. Hunt,		

Mr. Benton further reported, that the committee had gone through the bill, made amendments and added a clauſe, which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

Mr. Clinton from the committee of the whole Houſe, on the bill entitled "*An act to divide the town of Thurman*," reported, that after the ſaid bill had been read in the committee, Mr. Maſon made a motion that the committee ſhould agree to a bill as a ſubſtitute thereto, which was alſo read; that the queſtion being put, whether the committee did agree to the motion of Mr. Maſon, it was carried in the affirmative. Mr. Clinton further reported, that the committee had gone through the ſaid bill without amendment, which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

A copy of a reſolution of the Hon. the Senate, delivered by Mr. Schenck and Mr. Silveſter, was read, and is in the words following, viz.

Whereas it appears by ſundry affidavits accompanying a meſſage of his Excellency the Governor, that the regular adminiſtration of juſtice has been interrupted by numerous combinations of individuals in the town of Livingſton, in the county of Columbia, and that the deputies of the Sheriff of the ſaid county have been prevented from executing the duties of their offices, and one of them violently attacked and outraged in attempting the ſame: Thereupon,

Reſolved, (if the Hon. the Aſſembly concur herein) That his Excellency the Governor be, and he is hereby requeſted, to cauſe the laws of the State to be enforced in the ſaid town of Livingſton, in the ſaid county of Columbia, and to call out ſuch part of the militia of the ſaid county, or of any of the adjacent counties, as he may think neceſſary for that purpoſe; and that the Legiſlature will make proviſion therefor.

Mr. Clinton made a motion that the conſideration of the ſaid reſolution ſhould be poſtponed until Monday next.

Debates were had thereon, and Mr. Speaker put the queſtion, whether the Houſe did agree to the motion of Mr. Clinton, which paſſed in the negative in the manner following, viz.

For the Negative.

Mr. W. Barker,	Mr. Gettman,	Mr. Maſon,	Mr. Storm,
Mr. Benton,	Mr. Gray,	Mr. M'Farlan,	Mr. Teed,
Mr. Bowman,	Mr. Gregory,	Mr. Micheau,	Mr. Ten Broeck,
Mr. Brown,	Mr. Griſwold,	Mr. Moffet,	Mr. Thomas,
Mr. Campbell,	Mr. Hall,	Mr. Pearſall,	Mr. Joel Thompſon,
Mr. Clifft,	Mr. Henry,	Mr. Potter,	Mr. Tyler,
Mr. Coe,	Mr. J. Hogeboom,	Mr. Pride,	Mr. Vandervoort,
Mr. Cornwell,	Mr. Holt,	Mr. Reeve,	Mr. Van Alſtyne,
Mr. Coryell,	Mr. Horton,	Mr. Rice,	Mr. Verplank,
Mr. J. A. De Witt,	Mr. Hovey,	Mr. Roſs,	Mr. Warner,
Mr. Dewey,	Mr. Howard,	Mr. Savage,	Mr. Wendell,
Mr. Fairlie,	Mr. Hunt,	Mr. J. Smith,	Mr. Wheeler,
Mr. Foot,	Mr. Jenkins,	Mr. N. Smith,	Mr. Williamſon. 34
Mr. Fort,	Mr. Lee,		

For the Affirmative.

Mr. Adams,	Mr. Clinton,	Mr. M'Neal,	Mr. T. Smith,
Mr. Barber,	Mr. Comſtock,	Mr. Metcalfe,	Mr. Jeſſe Thompſon,
Mr. J. Barker,	Mr. De la Montagnie,	Mr. Mitchell,	Mr. Iſrael Thompſon,
Mr. Bevier,	Mr. Halſey,	Mr. Robins,	Mr. Voſburgh,
Mr. Burling,	Mr. Hatfield,	Mr. Skidmore,	Mr. Weſt,
Mr. Burt,	Mr. K. Hogeboom,	Mr. A. Smith,	Mr. Wood. 26
Mr. Carman,	Mr. M'Cord,		

Mr. Speaker then put the queſtion, whether the Houſe did concur with the Hon. the Senate in their ſaid reſolution, and it was carried in the affirmative in the manner following, viz.

For the Affirmative.

Mr. Adams,	Mr. J. C. De Witt,	Mr. Jenkins,	Mr. N. Smith,
Mr. Barber,	Mr. Dewey,	Mr. Lee,	Mr. Storm,
Mr. W. Barker,	Mr. Fairlie,	Mr. Maſon,	Mr. Teed,
Mr. Benton,	Mr. Fonda,	Mr. M'Farlan,	Mr. Ten Broeck,
Mr. Bevier,	Mr. Foot,	Mr. M'Neal,	Mr. Thomas,
Mr. Bowman,	Mr. Fort,	Mr. Micheau,	Mr. Jeſſe Thompſon,
Mr. Brown,	Mr. Gettman,	Mr. Moffet,	Mr. Iſrael Thompſon,
Mr. Bruyn,	Mr. Gray,	Mr. Pearſall,	Mr. Joel Thompſon,
Mr. Burling,	Mr. Gregory,	Mr. Potter,	Mr. Tyler,
Mr. Campbell,	Mr. Griſwold,	Mr. Pride,	Mr. Vandervoort,
Mr. Carman,	Mr. Hall,	Mr. Reeve,	Mr. Van Alſtyne,
Mr. Cliſft,	Mr. Halſey,	Mr. Rice,	Mr. Verplank,
Mr. Clinton,	Mr. Henry,	Mr. Robins,	Mr. Voſburgh,
Mr. Coe,	Mr. J. Hogeboom,	Mr. Roſs,	Mr. Warner,
Mr. Comſtock,	Mr. K. Hogeboom,	Mr. Savage,	Mr. Wendell,
Mr. Cornwell,	Mr. Holt,	Mr. Skidmore,	Mr. Weſt,
Mr. Coryell,	Mr. Horton,	Mr. A. Smith,	Mr. Wheeler,
Mr. De la Montagnie,	Mr. Hovey,	Mr. T. Smith,	Mr. Williamſon,
Mr. J. A. De Witt,	Mr. Howard,	Mr. J. Smith,	Mr. Wood. 76

For the Negative.

Mr. Burt.	Mr. Hatfield.	Mr. M'Cord. 3

Thereupon, *Reſolved*, That this Houſe do concur with the Hon. the Senate in their ſaid reſolution.

Ordered, That Mr. Storm and Mr. Teed deliver a copy of the preceding reſolution of concurrence to the Hon. the Senate.

A meſſage from the Hon. the Senate, delivered by Mr. Silveſter and Mr. Spencer, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "*An act authorizing the Governor to appoint commiſſioners to treat with the Oneida Indians for the purchaſe of part of their lands,*" which was read the firſt time and ordered a ſecond reading.

By unanimous conſent the ſaid bill was read the ſecond time and committed to a committee of the whole Houſe.

Then the Houſe reſolved itſelf into a committee of the whole Houſe on the ſaid bill, and after ſome time ſpent thereon, Mr. Speaker reſumed the chair, and Mr. Metcalfe from the ſaid committee reported, that the committee had gone through the bill without amendment, which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That Mr. Storm and Mr. Teed deliver the bill to the Hon. the Senate, and inform them that this Houſe have paſſed the ſame without amendment.

Then the Houſe adjourned until ten o'clock on Monday morning next.

Monday, ten o'clock, A. M. February 26th, 1798.

The engroſſed bill entitled "*An act to regulate the returning and impannelling of Jurors for the trial of iſſues,*" was read the third time.

Reſolved, That the bill do paſs.

Ordered, That Mr. Teed and Mr. Ten Broeck deliver the bill to the Hon. the Senate and requeſt their concurrence.

The bill entitled "*An act to incorporate the Fire-Men of the city of New-York,*" and the bill entitled "*An act to amend the act entitled "An act for the further ſale of the unappropriated lands of this State,*" were ſeverally read the ſecond time and committed to a committee of the whole Houſe.

A meſſage from the Hon. the Senate, delivered by Mr. Spencer and Mr. Strong, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "*An act for the relief of the people called Shaking Quakers, and the religious ſect known by the name of Univerſal Friends,*" to which they requeſt the concurrence of this Houſe. The ſaid bill was read the firſt time and ordered a ſecond reading.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Spencer and Mr. Strong, with the bill therein mentioned, was read, that the Senate do concur in the amendments of this Houſe to the bill entitled "*An act more effectually to diſcover and apprehend offenders in the city of New-York,*" and have amended the ſame accordingly.

Ordered, That Mr. Teed and Mr. Ten Broeck return the bill to the Hon. the Senate.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Spencer and Mr. Strong, with the bill entitled "*An act to amend the act entitled "An act to regulate highways,*" was read, that the Senate do recede from their amendment to the 13th clauſe, and the expunging of the 14th clauſe, relative to the county of Richmond; but do adhere to their three other amendments, viz. for reducing the rate of commuting for a day's work from ſeventy-five cents, to fifty cents; for expunging the 10th clauſe as relates to repealing ſo much of the act as reſpects the alterations of waggons, and the addition of a new clauſe relative to the rights and privileges granted to the city of Hudſon.

Thereupon, *Reſolved*, That a conference be held with the Hon. the Senate on Tueſday the 6th day of March next, at ſuch place as they ſhall pleaſe to appoint, on their amendments to the bill entitled "*An act to amend the act entitled "An act to regulate highways,*" and that Mr. Clinton, Mr. Comſtock and Mr. Bird be a committee to manage the ſaid conference on the part of this Houſe.

Ordered, That Mr. Teed and Mr. Ten Broeck deliver the bill, amendments, and a copy of the preceding reſolution to the Hon. the Senate.

A petition of the Conſtables of the city and county of Albany, praying that a law may be paſſed granting them compenſation for their attendance on the courts in ſaid county, was read, and referred to the joint committee appointed to conſider and report relative to the fees of the judges and officers of the common pleas.

A petition of Timothy Mills and others, praying a grant of vacant lands which the petitioners alledge belong to the people of this State, was read, and referred to the Surveyor-General.

A petition of Thomas Jones and J. H. Livingſton, relative to lands in Palmer's purchaſe; and the petition of Michael Hewſcal of the city of New-York, relative to the eſtate of Mary Shand, widow of John Shand, late of the ſaid city, deceaſed, were ſeverally read, and referred to the Attorney-General.

A memorial of Nicholas Low and others, ſhip-owners, merchants and traders of the city of New-York, remonſtrating againſt the paſſing of the bill entitled "*An act authorizing the arreſt of ſhips and veſſels for debts contracted by the maſter, owner or conſignee, for and on account of ſuch ſhips and veſſels in the port of New-York,*" was read, and committed to a committee of the whole Houſe, when on the ſaid bill.

A petition of Mary Nicols, widow of Lewis Nicols, late of the city of New-York, deceaſed, praying relief as to the operation of the law paſſed the 16th April, 178[illegible] for regulating the buildings, ſtreets, wharves and ſhips in the city of New-York, was read, and referred to Mr. Heermance, Mr. J. Barker and Mr. De la Montagnie.

Mr. Clinton, from the committee to whom was referred the petition of Mary Hanſen, and the report of the Comptroller thereon, reported, that the committee have prepared a bill for the relief of the ſaid Mary Hanſen, agreeably to the report of the Attorney-General, made the laſt ſeſſion of the Legiſlature, and the ſaid report of the Comptroller, and have directed him to move for leave to bring in the ſame; leave being given, Mr. Clinton brought in the ſaid bill, entitled "*An act for the relief of Mary Hanſen,*" which was read the firſt time and ordered a ſecond reading.

Mr. Maſon, purſuant to notice by him for that purpoſe heretofore given, moved for and obtained leave to bring in a bill entitled "*An act for the payment of certain officers of government, and other contingent expenſes,*" which was read the firſt time and ordered a ſecond reading.

Mr. Griſwold, from the ſelect committee to whom was committed the bill entitled "*An act to erect part of the counties of Tioga and Herkemer into a ſeparate county,*" re-

ported, that the committee had gone through the bill and made amendments, which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read.

Ordered, That the ſaid bill be recommitted to a committee of the whole Houſe.

Mr. Brown, from the committee to whom was referred the petition of William Colbrath and others, reported in favor of the petitioners, and obtained leave to bring in a clauſe to be added to ſome proper bill for that purpoſe.

Mr. Fairlie, from the committee appointed to take into conſideration that part of his Excellency the Governor's ſpeech relative to the militia laws, reported, that the committee had prepared a bill relative thereto, and that he was directed to move for leave to bring in the ſame; leave being given, Mr. Fairlie brought in the ſaid bill, entitled *"An act further to amend the act entitled "An act to organize the militia of this State,"* which was read the firſt time and ordered a ſecond reading.

Two ſeveral meſſages from the Hon. the Council of Reviſion, delivered by the Hon. Mr. Juſtice Lewis, were read, that it does not appear improper to the Council, that the bill entitled *"An act to prevent unneceſſary public proſecutions when the parties injured have remedy by civil action;"* the bill entitled *"An act altering the time of holding the election of city officers for the city of Hudſon;"* the bill entitled *"An act ſupplementary to the act entitled "An act relative to the acknowledgment of Deeds,"* paſſed the 11th day of February, 1797; the bill entitled *"An act providing for the expenſe of the Health-Office in the city of New-York,"* and the bill entitled *"An act to amend an act entitled "An act to regulate buildings in certain limits in the city of Albany,"* ſhould ſeverally become laws of this State.

A motion was made that the Houſe do now reſolve itſelf into a committee of the whole Houſe, on the bill entitled *"An act to prevent the profanation of the Sabbath;"* Mr. Speaker put the queſtion, whether the Houſe did agree to the ſaid motion, and it was carried in the affirmative in the manner following, viz.

For the Affirmative.

Mr. Bevier,	Mr. Foot,	Mr. Miller,	Mr. T. Smith,
Mr. Boyd,	Mr. Gettman,	Mr. Mitchell,	Mr. Storm,
Mr. Bruyn,	Mr. Hatfield,	Mr. Moffet,	Mr. Teed,
Mr. Burling,	Mr. Henry,	Mr. Morſe,	Mr. Ten Broeck,
Mr. Carman,	Mr. J. Hogeboom,	Mr. Pearſall,	Mr. Iſrael Thompſon,
Mr. Clifft,	Mr. Howard,	Mr. Pride,	Mr. Vandervoort,
Mr. Coe,	Mr. Maſon,	Mr. Reeve,	Mr. Van Alſtyne,
Mr. Comſtock,	Mr. M'Cord,	Mr. Rice,	Mr. Voſburgh,
Mr. Cornwell,	Mr. M'Farlan,	Mr. Savage,	Mr. Warner,
Mr. De la Montagnie,	Mr. M'Neal,	Mr. P. P. Schuyler,	Mr. Wendell,
Mr. J. A. De Witt,	Mr. Metcalfe,	Mr. Skidmore,	Mr. Weſt,
Mr. J. C. De Witt,	Mr. Micheau,	Mr. A. Smith,	Mr. Wood. 42.
Mr. Fairlie,			

For the Negative.

Mr. Adams,	Mr. Coryell,	Mr. Holt,	Mr. J. Smith,
Mr. Barber,	Mr. Dewey,	Mr. Horton,	Mr. N. Smith,
Mr. W. Barker,	Mr. Gray,	Mr. Hovey,	Mr. Jeſſe Thompſon,
Mr. Benton,	Mr. Griſwold,	Mr. Hunt,	Mr. Joel Thompſon,
Mr. Bird,	Mr. Hall,	Mr. Jenkins,	Mr. Tyler,
Mr. Bowman,	Mr. Halſey,	Mr. Ogden,	Mr. Verplank,
Mr. Brown,	Mr. Heermance,	Mr. Potter,	Mr. Wheeler,
Mr. Campbell,	Mr. Hoag,	Mr. Prince,	Mr. Williamſon. 35.
Mr. Clinton,	Mr. K. Hogeboom,	Mr. Roſs,	

Then the Houſe reſolved itſelf into a committee of the whole Houſe, on the ſaid bill, and after ſome time ſpent thereon, Mr. Speaker reſumed the chair, and Mr. De la Montagnie, from the ſaid committee, reported, that in proceeding in the ſaid bill, Mr. Benton made a motion that the committee ſhould agree to reject the ſame. That debates were had thereon, and the queſtion being put, whether the committee did agree thereto, it paſſed in the negative in the manner following, viz.

For the Negative.

Mr. W. Barker,	Mr. Fort,	Mr. Pride,	Mr. Ten Broeck,
Mr. Bowman,	Mr. Gray,	Mr. Reeve,	Mr. Iſrael Thompſon,
Mr. Boyd,	Mr. Hatfield,	Mr. Roſs,	Mr. Vandervoort,
Mr. Bruyn,	Mr. Heermance,	Mr. Savage,	Mr. Van Alſtyne,
Mr. Burling,	Mr. Henry,	Mr. P. P. Schuyler,	Mr. Vosburgh,
Mr. Carman,	Mr. Howard,	Mr. Skidmore,	Mr. Warner,
Mr. Clifft,	Mr. M'Cord,	Mr. A. Smith,	Mr. Wendell,
Mr. Coe,	Mr. M'Neal,	Mr. T. Smith,	Mr. Weſt,
Mr. Comſtock,	Mr. Metcalfe,	Mr. Storm,	Mr. Wheeler,
Mr. J. C. De Witt,	Mr. Micheau,	Mr. Speaker,	Mr. Wood. 43.
Mr. Foot,	Mr. Miller,	Mr. Teed,	

For the Affirmative.

Mr. Adams,	Mr. Griſwold,	Mr. Hovey,	Mr. Prince,
Mr. Benton,	Mr. Hall,	Mr. Hunt,	Mr. Rice,
Mr. Bird,	Mr. Halſey,	Mr. Jenkins,	Mr. J. Smith,
Mr. Bevier,	Mr. Hoag,	Mr. Mitchell,	Mr. N. Smith,
Mr. Brown,	Mr. J. Hogeboom,	Mr. Moſſet,	Mr. Jeſſe Thompſon,
Mr. Campbell,	Mr. K. Hogeboom,	Mr. Morſe,	Mr. Joel Thompſon,
Mr. Coryell,	Mr. Holt,	Mr. Ogden,	Mr. Tyler,
Mr. J. A. De Witt,	Mr. Horton,	Mr. Potter,	Mr. Williamſon.
Mr. Dewey,			33

That Mr. Griſwold made a motion that the committee ſhould agree to inſert after the words "*Lord's Day,*" in the 7th line of the firſt enacting clauſe of the ſaid bill, the following words, viz. "*unleſs the ſame ſhall be done conſcientiouſly.*" That the queſtion being put, whether the committee did agree to the amendment propoſed by the motion of Mr. Griſwold, it paſſed in the negative in the manner following, viz.

For the Negative.

Mr. Barber,	Mr. Gray,	Mr. Moſſet,	Mr. Speaker,
Mr. W. Barker,	Mr. Gregory,	Mr. Potter,	Mr. Ten Broeck,
Mr. Bevier,	Mr. Hall,	Mr. Prince,	Mr. Jeſſe Thompſon,
Mr. Bowman,	Mr. Hatfield,	Mr. Pride,	Mr. Iſrael Thompſon,
Mr. Boyd,	Mr. Heermance,	Mr. Reeve,	Mr. Joel Thompſon,
Mr. Bruyn,	Mr. J. Hogeboom,	Mr. Rice,	Mr. Vandervoort,
Mr. Burling,	Mr. Hovey,	Mr. Roſs,	Mr. Van Alſtyne,
Mr. Carman,	Mr. Howard,	Mr. Savage,	Mr. Voſburgh,
Mr. Clifft,	Mr. Hunt,	Mr. P. P. Schuyler,	Mr. Warner,
Mr. Coe,	Mr. M'Cord,	Mr. Skidmore,	Mr. Wendell,
Mr. Comſtock,	Mr. M'Neal,	Mr. A. Smith,	Mr. Weſt,
Mr. J. A. De Witt,	Mr. Metcalfe,	Mr. T. Smith,	Mr. Wheeler,
Mr. J. C. De Witt,	Mr. Micheau,	Mr. J. Smith,	Mr. Williamſon,
Mr. Dewey,	Mr. Miller,	Mr. Storm,	Mr. Wood.
Mr. Fort,			39

For the Affirmative.

Mr. Adams,	Mr. Campbell,	Mr. Hoag,	Mr. Morſe,
Mr. Benton,	Mr. Coryell,	Mr. K. Hogeboom,	Mr. Ogden,
Mr. Bird,	Mr. Griſwold,	Mr. Holt,	Mr. N. Smith.
Mr. Brown,	Mr. Halſey,	Mr. Horton,	15

That Mr. Foot then made a motion, that the committee ſhould agree to ſubſtitute a bill in the room of the ſaid bill then before the committee, which ſubſtitute, with its title, is in the words following, viz.

An act in addition to, and amendment of an act, entitled "An act for the ſuppreſſion of Vice and Immorality."

Be it enacted by the people of the State of New-York repreſented in Senate and Aſſembly, That no tavern-keeper, inn-keeper, or any perſon or perſons, retailing or ſelling ſtrong or ſpirituous liquors within this State, ſhall ſell or diſpoſe of any ſtrong or ſpirituous liquors on the firſt day of the week, called the Lord's Day, to any perſon or perſons living or reſiding in the ſame city or town where ſuch tavern-keeper or inn-keeper, or retailer of ſtrong or ſpirituous liquors, dwells or reſides; and that every perſon offending in the premiſes, and being thereof duly convicted before any Juſtice of the Peace in the county, or any Mayor, Recorder or Alderman, of the city where the ſaid offence ſhall have been committed, upon the view of the ſaid Juſtice, Mayor, Recorder or Alderman, or on confeſſion of the party offending, or upon the oath of one or more credible witneſs or witneſſes, ſhall forfeit and pay, for every ſuch offence, the ſum of for the uſe of the poor of ſuch city or town where the ſaid offence or offences ſhall have been committed.

And be it further enacted, That every Juſtice of the Peace, Mayor, Recorder or Alderman, ſhall immediately upon information given upon oath of any Conſtable or other peace officer, or any other perſon whatſoever, cauſe the offender or offenders againſt this act to appear before him, and upon ſuch information being proved as aforeſaid, ſhall convict ſuch offender or offenders in ſuch manner as in and by this act is preſcribed.

And be it further enacted, That if any Juſtice of the Peace, Mayor, Recorder, Alderman or Conſtable, ſhall neglect or refuſe to diſcharge the duties enjoined on them reſpectively by this act, or the act which this act is to amend, then they ſhall

be deemed guilty of a misdemeanor, and shall be indictable therefor. Provided nevertheless, that the first clause of the act entitled "An act for the suppression of vice and immorality," shall not extend to, and be construed, as to prohibit any person who shall be from home on a journey, or any person removing with his family or effects to the distance of twenty miles, from peaceably travelling on the first day of the week, called the Sabbath or Lord's Day, any thing in the said act to the contrary notwithstanding. But it shall not be lawful for any person to set out from home on a journey on the Sabbath or Lord's Day.

That the question being put, whether the committee did agree to the said bill, proposed as a substitute by the motion of Mr. Foot, it was carried in the affirmative. Mr. De la Montagnie reported further progress, and that he was directed to ask for leave to sit again; and he read the report in his place, and delivered the same in at the table, where it was again read and agreed to by the House. Thereupon,

Ordered, That the committee of the whole House be discharged from the further consideration of the bill entitled "*An act to prevent the profanation of the Sabbath*," and that the bill entitled "*An act in addition to, and amendment of, an act entitled "An act for suppressing vice and immorality*," be committed to a select committee, consisting of Mr. Storm, Mr. Benton, Mr. Savage, Mr. Wood and Mr. Vandervoort.

Mr. Comstock, pursuant to notice by him for that purpose heretofore given, moved for and obtained leave to bring in a bill entitled "*An act to amend the act entitled "An act to regulate the practice of physic and surgery in this State*," which was read the first time and ordered a second reading.

Mr. J. Hogeboom, from the committee of the whole House, on the bill entitled "*An act to erect parts of the counties of Herkemer and Tioga into a separate county*," reported, that the committee had gone through the bill, made amendments, added clauses and altered the title; that the altered title is "*An act to erect part of the counties of Herkemer and Tioga into a separate county, and to divide Herkemer into two counties*," which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read and agreed to by the House.

Ordered, That the bill be engrossed.

Mr. Brown, from the committee of the whole House, on the bill entitled "*An act supplementary to the act entitled "An act for opening and improving certain great roads within this State*," reported, that the committee had gone through the bill without amendment, which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read and agreed to by the House.

Ordered, That Mr. Teed and Mr. Ten Broeck deliver the bill to the Hon. the Senate, and inform them that this House have passed the same without amendment.

Then the House adjourned until ten o'clock to-morrow morning.

Tuesday, ten o'clock, A. M. February 27th, 1798.

The engrossed bill entitled "*An act to divide the town of Thurman*," was read the third time.

Resolved, That the bill do pass.

Ordered, That Mr. Teed and Mr. Ten Broeck deliver the bill to the Hon. the Senate and request their concurrence.

The bill entitled "*An act for the relief of the people called Shaking Quakers, and the religious sect known by the name of Universal Friends;*" the bill entitled "*An act for the relief of Mary Hansen;*" the bill entitled "*An act to amend an act entitled "An act to regulate the practice of physic and surgery in this State;*" the bill entitled "*An act for the payment of certain officers of government, and other contingent expenses*," and the bill entitled "*An act to amend the act entitled "An act to organize the militia of this State*," were severally read the second time and committed to a committee of the whole House.

The memorial and petition of the Medical Professors of Columbia College, praying that the Legislature will allow them a moderate compensation for their professorial labours, was read, and referred to Mr. Clinton, Mr. Bird and Mr. Metcalfe.

A petition of John Carpenter, relative to a class-right for two hundred acres of unappropriated lands, was read, and referred to Mr. Joel Thompson, Mr. Coe and Mr. Clark.

A petition of Caleb Smith, jun. and others, inhabitants of Smithtown, in the county of Suffolk, relative to a public road in the ſaid town, was read, and referred to Mr. Howard, Mr. Jeſſe Thompſon and Mr. Morſe.

A petition of George Frey, of Palatine, in the county of Montgomery, relative to a certain piece of land in ſaid county, part of the forfeited eſtate of Iſaac Low, was read, and referred to Mr. Iſrael Thompſon, Mr. Van Alſtyne and Mr. Ten Broeck.

A petition of John Smith, praying a grant of bounty lands for his ſervices as a private in the third New-York regiment, during the late war, was read, and referred to Mr. Hatfield, Mr. Burr and Mr. Snell.

A petition of Chriſtopher Vought and others, inhabitants of the town of Duaneſburgh, reſiding within the bounds of a patent granted to Thomas Bryan, praying to be annexed to that part of the townſhip of Schenectady called Curryſbuſh, in caſe the ſame ſhould be taken from the ſaid town of Schenectady, was read, and referred to Mr. Benton, Mr. Prince and Mr. A. Smith.

A petition of Udny Hay, relative to a ſum of new emiſſion money, ſtated by him to have accidentally burnt in his houſe, was read, and referred to the Comptroller.

A petition of Ephraim Webſter and others, inhabitants reſiding on the Onondaga Reſervation, praying to be erected into a ſeparate town, was read, and committed to a committee of the whole Houſe when on the bill entitled "*An act for dividing certain towns in the county of Onondaga.*"

A copy of a reſolution of the Hon. the Senate, delivered by Mr. Ten Eyck and Mr. Tappen, was read, and is in the words following, viz.

Reſolved, (if the Hon. the Aſſembly concur herein) That a joint committee of both houſes be appointed to conſider and report the proper ways and means to provide as well for the repayment of the money remaining due on the loan made to this State by the Bank of New-York, as for the diſcharge of the appropriations made, or to be made in the preſent ſeſſion of the Legiſlature, and in caſe of ſuch concurrence, that Mr. Jones, Mr. Gold and Mr. Tillotſon be of the ſaid committee on the part of the Senate.

Reſolved, That this Houſe do concur with the Hon. the Senate in their ſaid preceding reſolution, and that Mr. Wood, Mr. Jenkins, Mr. Griſwold, Mr. Bird and Mr. Roſs be of the ſaid committee on the part of this Houſe.

Ordered, That Mr. Teed and Mr. Ten Broeck deliver a copy of the preceding reſolution to the Hon. the Senate.

A meſſage from the Hon. the Senate, delivered by Mr. Ten Eyck and Mr. Tappen, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "*An act for the relief of Abraham Smith,*" which was read the firſt time and ordered a ſecond reading.

Three ſeveral meſſages from the Hon. the Council of Reviſion, tranſmitted to this Houſe by the Hon. the Senate, were read, that it does not appear improper to the Council that the bill entitled "*An act for dividing the county of Orange,*" the bill entitled "*An act to amend an act entitled "An act concerning Sheriffs and the ſervice and return of proceſs,*" and the act entitled "*An act concerning Coroners,*" and the bill entitled "*An act authorizing the Governor to appoint commiſſioners to treat with the Oneida Indians for the purchaſe of part of their lands,*" ſhould ſeverally become laws of this State.

Ordered, That the bill entitled "*An act to erect part of the counties of Herkemer and Tioga into a ſeparate county, and to divide Herkemer into two counties,*" be recommitted to a committee of the whole Houſe.

Mr. Maſon, from the committee of the whole Houſe, on the bill entitled "*An act more effectually to provide for the improvement of roads and bridges in certain counties therein mentioned,*" reported progreſs. Thereupon,

Ordered, That the ſaid bill be committed to a committee, conſiſting of Mr. Bowman, Mr. Foot and Mr. Roſs.

Mr. Wood, from the committee appointed to arrange and report on the unfiniſhed buſineſs before the houſe, reported, that the committee appointed to examine and arrange the buſineſs before this Houſe report, that there are thirty-three public bills and ſixty private bills committed to a committee of the whole Houſe. That in the opinion of the committee, it would contribute to facilitate the progreſs of buſineſs;

hat all public bills ſhould be firſt taken up in the order in which they ſtand committed. That ſuch as relate to courts of juſtice, the erection of gaols, the diviſion of counties and towns, ſhould be conſidered as public bills. That private bills ſhould be taken up in the order in which they ſtand committed, and that Monday and Saturday in each week be devoted to the conſideration of ſuch bills. That in cases where the principle of a private bill is not diſputed, it ſhall be committed to a ſelect committee. Which report was agreed to by the Houſe.

Mr. J. Hogeboom, from the committee of the whole Houſe, on the bill entitled "*An act to annex part of the county of Herkemer, called Young's Patent, to the county of Otſego,*" reported, that after the ſaid bill had been read in the committee, Mr. Griſwold made a motion, that the ſaid bill ſhould be rejected. That debates were had thereon, and the queſtion being put, whether the committee did agree thereto, it paſſed in the negative in the manner following, viz.

For the Negative.

Mr. Adams,	Mr. Clinton,	Mr. Hovey,	Mr. Reeve,
Mr. Arcularius,	Mr. Coe,	Mr. Howard,	Mr. Robins,
Mr. J. Barker,	Mr. Comſtock,	Mr. Jenkins,	Mr. Savage,
Mr. T. Barker,	Mr. De la Montagnie,	Mr. Maſon,	Mr. Skidmore,
Mr. Benton,	Mr. J. A. De Witt,	Mr. M'Neal,	Mr. A. Smith,
Mr. Bird,	Mr. Dewey,	Mr. Metcalfe,	Mr. T. Smith,
Mr. Bowman,	Mr. Fairlie,	Mr. Micheau,	Mr. Storm,
Mr. Boyd,	Mr. Fort,	Mr. Miller,	Mr. Ten Broeck,
Mr. Burling,	Mr. Gray,	Mr. Mitchell,	Mr. Iſrael Thompſon,
Mr. Burt,	Mr. Gregory,	Mr. Moffet,	Mr. Weſt,
Mr. Carman,	Mr. Halſey,	Mr. Morſe,	Mr. Wheeler,
Mr. Clark,	Mr. Henry,	Mr. Ogden,	Mr. Wood. 51
Mr. Clifft,	Mr. Holt,	Mr. Potter,	

For the Affirmative.

Mr. Barber,	Mr. Coryell,	Mr. Hoag,	Mr. Teed,
Mr. W. Barker,	Mr. J. C. De Witt,	Mr. Horton,	Mr. Jeſſe Thompſon,
Mr. Bevier,	Mr. Foot,	Mr. M'Cord,	Mr. Joel Thompſon,
Mr. Brown,	Mr. Gettman,	Mr. J. Smith,	Mr. Tyler,
Mr. Campbell,	Mr. Griſwold,	Mr. N. Smith,	Mr. Vandervoort,
Mr. Cornwell,	Mr. Hatfield,	Mr. Snell,	Mr. Wendell. 24

That in proceeding further in the ſaid bill, the firſt enacting clauſe thereof was read, and debates had thereon, and the queſtion being put, whether the committee did agree thereto, it was carried in the affirmative in the manner following, viz.

For the Affirmative.

Mr. Adams,	Mr. Clifft,	Mr. Holt,	Mr. Reeve,
Mr. Arcularius,	Mr. Clinton,	Mr. Hovey,	Mr. Rice,
Mr. Baldwin,	Mr. Coe,	Mr. Howard,	Mr. Robins,
Mr. J. Barker,	Mr. Comſtock,	Mr. Jenkins,	Mr. Roſs,
Mr. T. Barker,	Mr. J. A. De Witt,	Mr. Maſon,	Mr. Savage,
Mr. Benton,	Mr. Dewey,	Mr. Metcalfe,	Mr. Skidmore,
Mr. Bird,	Mr. Fort,	Mr. Micheau,	Mr. A. Smith,
Mr. Bowman,	Mr. Gray,	Mr. Miller,	Mr. T. Smith,
Mr. Boyd,	Mr. Gregory,	Mr. Moffet,	Mr. Storm,
Mr. Burling,	Mr. Halſey,	Mr. Morſe,	Mr. Ten Broeck,
Mr. Burt,	Mr. Heermance,	Mr. Ogden,	Mr. Wheeler,
Mr. Clark,	Mr. Henry,	Mr. Potter,	Mr. Wood. 48

For the Negative.

Mr. Barber,	Mr. Cornwell,	Mr. Griſwold,	Mr. Snell,
Mr. W. Barker,	Mr. Coryell,	Mr. Hoag,	Mr. Jeſſe Thompſon,
Mr. Bevier,	Mr. De la Montagnie,	Mr. M'Cord,	Mr. Joel Thompſon,
Mr. Brown,	Mr. J. C. De Witt,	Mr. M'Neal,	Mr. Tyler,
Mr. Bruyn,	Mr. Fairlie,	Mr. Mitchell,	Mr. Vandervoort,
Mr. Campbell,	Mr. Foot,	Mr. J. Smith,	Mr. Wendell. 27
Mr. Carman,	Mr. Gettman,	Mr. N. Smith,	

Mr. Hogeboom further reported, that the committee had gone through the bill and added a clauſe, which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

Mr. Tyler, purſuant to notice by him for that purpoſe heretofore given, moved for and obtained leave to bring in a bill entitled "*An act relative to the deeds and conveyances depoſited in the office of the Clerk of the county of Onondaga,*" which was read the firſt time and ordered a ſecond reading.

Mr. Bird, from the committee appointed to take into conſideration that part of his Excellency the Governor's ſpeech relative to the criminal law of this State, reported, that the committee had agreed to a bill which they had directed him to move for leave to bring in; leave being given, Mr. Bird brought in the ſaid bill, entitled "*An act in addition to, and in explanation of, "An act making alterations in the criminal law of this State, and for erecting State Priſons,*" which was read the firſt time and ordered a ſecond reading.

Mr. De la Montagnie, from the committee of the whole Houſe, on the bill entitled "*An act providing for the appointment of Aſſociate Judges of the Courts of Common Pleas,*" reported progreſs, and obtained leave to ſit again.

Ordered, That the committee of the whole Houſe be diſcharged from the further conſideration of the bill entitled "*An act to incorporate the Mutual Aſſurance Company of the city of New-York,*" and the bill entitled "*An act to incorporate the Fire-men of the city of New-York,*" and that the ſaid bills be committed to a ſelect committee, conſiſting of the Members attending this Houſe from the city and county of New-York.

Then the Houſe adjourned until ten o'clock to-morrow morning.

Wedneſday, ten o'clock, A. M. February 28th, 1798.

The engroſſed bill entitled "*An act to annex part of the county of Herkemer, called Young's Patent, to the county of Otſego,*" was read the third time.

Mr. Griſwold made a motion, that the Houſe ſhould agree to reconſider the ſaid bill; Mr. Speaker put the queſtion, whether the Houſe did agree to the motion of Mr. Griſwold, and it paſſed in the negative in the manner following, viz.

For the Negative.

Mr. Adams,	Mr. Comſtock,	Mr. Holt,	Mr. Rice,
Mr. Arcularius,	Mr. De la Montagnie,	Mr. Hovey,	Mr. Roſs,
Mr. Baldwin,	Mr. J. A. De Witt,	Mr. Howard,	Mr. Savage,
Mr. J. Barker,	Mr. Dewey,	Mr. Maſon,	Mr. Skidmore,
Mr. T. Barker,	Mr. Fort,	Mr. Metcalfe,	Mr. A. Smith,
Mr. Bowman,	Mr. Gray,	Mr. Micheau,	Mr. Storm,
Mr. Boyd,	Mr. Gregory,	Mr. Miller,	Mr. Thomas,
Mr. Burling,	Mr. Hall,	Mr. Moffet,	Mr. Iſrael Thompſon,
Mr. Burt,	Mr. Halſey,	Mr. Morſe,	Mr. Voſburgh,
Mr. Clifft,	Mr. Hatfield,	Mr. Potter,	Mr. Wheeler,
Mr. Clinton,	Mr. Henry,	Mr. Pride,	Mr. Wood. 47
Mr. Coe,	Mr. K. Hogeboom,	Mr. Reeve,	

For the Affirmative.

Mr. Barber,	Mr. J. C. De Witt,	Mr. Jenkins,	Mr. J. Smith,
Mr. W. Barker,	Mr. Fairlie,	Mr. M'Cord,	Mr. N. Smith,
Mr. Bird,	Mr. Foot,	Mr. Mitchell,	Mr. Snell,
Mr. Bevier,	Mr. Gettman,	Mr. Ogden,	Mr. Teed,
Mr. Brown,	Mr. Griſwold,	Mr. Pearſall,	Mr. Jeſſe Thompſon,
Mr. Bruyn,	Mr. Heermance,	Mr. Prince,	Mr. Joel Thompſon,
Mr. Campbell,	Mr. Hoag,	Mr. Robins,	Mr. Vandervoort,
Mr. Carman,	Mr. J. Hogeboom,	Mr. P. I. Schuyler,	Mr. Van Alſtyne,
Mr. Cornwell,	Mr. Horton,	Mr. P. P. Schuyler,	Mr. Verplank,
Mr. Coryell,	Mr. Hunt,	Mr. T. Smith,	Mr. Wendell. 41
Mr. Dietz,			

Mr. Speaker then put the queſtion whether the Houſe did agree that the ſaid bill ſhould paſs into a law, and it was carried in the affirmative in the manner following, viz.

For the Affirmative.

Mr. Adams,	Mr. J. A. De Witt,	Mr. Hovey,	Mr. Rice,
Mr. Arcularius,	Mr. Dewey,	Mr. Howard,	Mr. Robins,
Mr. Baldwin,	Mr. Fonda,	Mr. Jenkins,	Mr. Roſs,
Mr. J. Barker,	Mr. Fort,	Mr. Maſon,	Mr. Savage,
Mr. T. Barker,	Mr. Gray,	Mr. Metcalfe,	Mr. Skidmore,
Mr. Bird,	Mr. Gregory,	Mr. Micheau,	Mr. A. Smith,
Mr. Burling,	Mr. Hall,	Mr. Miller,	Mr. Storm,
Mr. Burt,	Mr. Halſey,	Mr. Moffet,	Mr. Iſrael Thompſon,
Mr. Clifft,	Mr. Hatfield,	Mr. Morſe,	Mr. Verplank,
Mr. Clinton,	Mr. Henry,	Mr. Ogden,	Mr. Voſburgh,
Mr. Coe,	Mr. J. Hogeboom,	Mr. Potter,	Mr. Weſt,
Mr. Comſtock,	Mr. K. Hogeboom,	Mr. Pride,	Mr. Wheeler,
Mr. De la Montagnie,	Mr. Holt,	Mr. Reeve,	Mr. Wood. 52

For the Negative.

Mr. Barber,	Mr. J. C. De Witt,	Mr. M'Cord,	Mr. N. Smith,
Mr. W. Barker,	Mr. Fairlie,	Mr. M'Neal,	Mr. Snell,
Mr. Bevier,	Mr. Foot,	Mr. Mitchell,	Mr. Teed,
Mr. Brown,	Mr. Gettman,	Mr. Pearſall,	Mr. Thomas,
Mr. Bruyn,	Mr. Griſwold,	Mr. Prince,	Mr. Jeſſe Thompſon,
Mr. Campbell,	Mr. Heermance,	Mr. P. I. Schuyler,	Mr. Joel Thompſon,
Mr. Carman,	Mr. Hoag,	Mr. P. P. Schuyler,	Mr. Vandervoort,
Mr. Cornwell,	Mr. Horton,	Mr. T. Smith,	Mr. Van Alſtyne,
Mr. Coryell,	Mr. Hunt,	Mr. J. Smith,	Mr. Wendell. 36

Thereupon, *Reſolved*, That the bill do paſs.

Ordered, That Mr. Ten Broeck and Mr. Thomas deliver the bill to the Hon. the nate, and requeſt their concurrence.

The bill entitled "*An act relative to the deeds and conveyances depoſited in the office of e Clerk of the county of Onondaga,*" the bill entitled "*An act in addition to, and in ex- lanation of an act entitled "An act making alterations in the criminal law of this State, and r erecting State Priſons,*" and the bill entitled "*An act for the relief of Abraham Smith,*" ere ſeverally read and committed to a committee of the whole Houſe.

A meſſage from the Hon. the Senate, delivered by Mr. Tappen and Mr. Thompſon, ith the bill therein mentioned, was read, that the Senate have paſſed the bill enti- ed "*An act to amend the act entitled "An act for laying out lot No. 1, in the town of Han- bal, in the county of Onondaga, into city lots, and for other purpoſes therein mentioned,*" ith the amendments therewith delivered.

Ordered, That the conſideration of the ſaid amendments be poſtponed.

Mr. Tyler aſked for, and obtained leave of abſence for the remainder of the ſeſſion.

Mr. Comſtock, from the committee to whom was committed the bill entitled "*An t to divide the town of Saratoga,*" reported that the committee had gone through the ll, made amendments, and altered the title, that the altered title is "*An act to divide e town of Saratoga, and for other purpoſes,*" which he was directed to report to the ouſe, and he read the report in his place and delivered the ſame in at the table, here it was again read and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

Ordered, That the committee of the whole Houſe be diſcharged from the further nſideration of the bill entitled "*An act for dividing certain towns in the county of Onon- ga,*" and that the ſame be referred to Mr. Halſey, Mr. Foot and Mr. Dewey.

A petition of Stephen Aſhley, John Waterous and James Benton, praying a leaſe om the State of a mill-ſeat at the Oſwego Falls, was read, and referred to Mr. 'Neal, Mr. Brown and Mr. Campbell.

Ordered, That the committee of the whole Houſe be diſcharged from the further nſideration of the bill entitled "*An act eſtabliſhing the rates of ferriage acroſs the Eaſt er between the counties of Queen's and Weſtcheſter,*" and that the ſaid bill be committed the Members attending this Houſe from the counties of Queen's and Weſtcheſter.

Ordered, That the committee of the whole Houſe be diſcharged from the further nſideration of the bill entitled "*An act for dividing the town of Rocheſter in the county Ulſter,*" and that the ſaid bill be committed to the Members attending in this Houſe om the county of Ulſter.

Mr. Fairlie from the committee of the whole Houſe on the bill entitled "*An act for appointment of a Treaſurer,*" reported, that the firſt enacting clauſe was read, and in the words following, viz.

Be it enacted by the people of the State of New-York repreſented in Senate and

Aſſembly, That ſhall be, and he hereby is conſtituted and appointed Treaſurer of this State, to continue in office until ſixty days after the firſt meeting of the Legiſlature of this State after the firſt day of July, which will be in the year of our Lord one thouſand ſeven hundred and ninety-nine.

That Mr. Ogden made a motion, that the name of Robert M'Clallen ſhould be inſerted in the ſaid blank.

That Mr. J. A. De Witt made a motion, that the name of Gerrit W. Van Schaick ſhould be inſerted in the ſaid blank.

That Mr. Williamſon made a motion, that the name of Daniel Hale ſhould be inſerted in the ſaid blank.

That Mr. Wood made a motion, that the name of Aaron Lane ſhould be inſerted in the ſaid blank.

That Mr. Maſon made a motion, that the name of Timothy Leonard ſhould be inſerted in the ſaid blank.

That Mr. Voſburgh made a motion, that the name of Jacob Vanderheyden ſhould be inſerted in the ſaid blank.

That Mr. Storm made a motion, that the name of Peter Ed. Elemendorf ſhould be inſerted in the ſaid blank.

That Mr. Speaker made a motion, that the name of John N. Bleecker ſhould be inſerted in the ſaid blank.

That Mr. Mitchell made a motion, that the name of Jeremiah R. Van Renſſelaer ſhould be inſerted in the ſaid blank.

That Mr. Iſrael Thompſon made a motion, that the name of Elbert Willett ſhould be inſerted in the ſaid blank.

That Mr. J. Hogeboom made a motion, that the name of Solomon Van Renſſelaer ſhould be inſerted in the ſaid blank.

That the queſtion being put, whether the committee did agree to the motion of Mr. Ogden, it was carried in the affirmative in the manner following, viz.

For the Affirmative.

Mr. Adams,	Mr. Dewey,	Mr. Hovey,	Mr. Savage,
Mr. Baldwin,	Mr. Foot,	Mr. Jenkins,	Mr. Skidmore,
Mr. Barber,	Mr. Fort,	Mr. Maſon,	Mr. T. Smith,
Mr. J. Barker,	Mr. Gray,	Mr. M'Cord,	Mr. J. Smith,
Mr. T. Barker,	Mr. Gregory,	Mr. M'Neal,	Mr. N. Smith,
Mr. W. Barker,	Mr. Griſwold,	Mr. Mitchell,	Mr. Speaker,
Mr. Benton,	Mr. Hall,	Mr. Moſſet,	Mr. Thomas,
Mr. Bird,	Mr. Heermance,	Mr. Morſe,	Mr. Jeſſe Thompſon,
Mr. Bevier,	Mr. Henry,	Mr. Ogden,	Mr. Iſrael Thompſon,
Mr. Boyd,	Mr. Hoag,	Mr. Potter,	Mr. Joel Thompſon,
Mr. Brown,	Mr. J. Hogeboom,	Mr. Prince,	Mr. Vosburgh,
Mr. Burt,	Mr. K. Hogeboom,	Mr. Pride,	Mr. Wendell,
Mr. Campbell,	Mr. Holt,	Mr. Reeve,	Mr. Weſt,
Mr. Clark,	Mr. Horton,	Mr. Rice,	Mr. Wheeler.
Mr. Clifft,			

For the Negative.

Mr. Arcularius,	Mr. De la Montagnie,	Mr. Hunt,	Mr. Snell,
Mr. Bowman,	Mr. J. A. De Witt,	Mr. Metcalfe,	Mr. Storm,
Mr. Bruyn,	Mr. J. C. De Witt,	Mr. Micheau,	Mr. Teed,
Mr. Burling,	Mr. Fonda,	Mr. Miller,	Mr. Ten Broeck,
Mr. Carman,	Mr. Gettman,	Mr. Pearſall,	Mr. Vandervoort,
Mr. Clinton,	Mr. Halſey,	Mr. Robins,	Mr. Van Alſtyne,
Mr. Coe,	Mr. Hatfield,	Mr. Roſs,	Mr. Verplank,
Mr. Comſtock,	Mr. Holly,	Mr. P. I. Schuyler,	Mr. Williamſon,
Mr. Cornwell,	Mr. Howard,	Mr. A. Smith,	Mr. Wood.
Mr. Coryell,			

Mr. Fairlie further reported, that the committee had gone through the bill, made amendments and added clauſes, which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

Mr. De la Montagnie, from the committee of the whole Houſe, on the bill entitled "*An act for the appointment of Aſſociate Judges in the Courts of Common Pleas,*" reported that in proceeding in the ſaid bill Mr. Comſtock made a motion, that the committee ſhould agree to reject the ſame ; that debates were had thereon, and the queſtion being put, whether the committee did agree to the motion of Mr. Comſtock, it was carried in the affirmative in the manner following, viz.

For the Affirmative.

Mr. Adams,	Mr. Cornwell,	Mr. Horton,	Mr. Roſs,
Mr. Arcularius,	Mr. J. A. De Witt,	Mr. Howard,	Mr. Savage,
Mr. Baldwin,	Mr. J. C. De Witt,	Mr. Hunt,	Mr. P. P. Schuyler,
Mr. Barber,	Mr. Dewey,	Mr. Jenkins,	Mr. Skidmore,
Mr. J. Barker,	Mr. Fonda,	Mr. Maſon,	Mr. A. Smith,
Mr. T. Barker,	Mr. Gettman,	Mr. M'Cord,	Mr. T. Smith,
Mr. W. Barker,	Mr. Gray,	Mr. Michean,	Mr. J. Smith,
Mr. Bevier,	Mr. Gregory,	Mr. Mitchell,	Mr. Snell,
Mr. Boyd,	Mr. Halley,	Mr. Moſſet,	Mr. Storm,
Mr. Burling,	Mr. Hatfield,	Mr. Morſe,	Mr. Teed,
Mr. Burt,	Mr. Heermance,	Mr. Ogden,	Mr. Ten Broeck,
Mr. Campbell,	Mr. Henry,	Mr. Pearſall,	Mr. Jeſſe Thompſon,
Mr. Carman,	Mr. J. Hogeboom,	Mr. Potter,	Mr. Voſburgh,
Mr. Clark,	Mr. K. Hogeboom,	Mr. Pride,	Mr. Weſt,
Mr. Cliſſt,	Mr. Holly,	Mr. Reeve,	Mr. Wheeler. 63
Mr. Comſtock,	Mr. Holt,	Mr. Rice,	

For the Negative.

Mr. Benton,	Mr. Foot,	Mr. M'Neal,	Mr. Van Alſtyne,
Mr. Bird,	Mr. Griſwold,	Mr. Metcalfe,	Mr. Verplank,
Mr. Bowman,	Mr. Hall,	Mr. N. Smith,	Mr. Wendell,
Mr. Brown,	Mr. Hoag,	Mr. Speaker,	Mr. Williamſon,
Mr. Coe,	Mr. Hovey,	Mr. Joel Thompſon,	Mr. Wood. 21
Mr. Coryell,			

Which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe. Thereupon,

Reſolved, That the ſaid bill be, and it is hereby rejected.

Then the Houſe adjourned until ten o'clock to-morrow morning.

Thurſday, ten o'clock, A. M. March 1ſt, 1798.

The engroſſed bill entitled "*An act for the appointment of a Treaſurer,*" was read the third time.

Reſolved, That the bill do paſs.

Ordered, That Mr. Ten Broeck and Mr. Thomas deliver the bill to the Hon. the Senate, and requeſt their concurrence.

A petition of John Gray and others, praying a diviſion of the town of Mamakating in the county of Ulſter, was read, and referred to the Members attending in this Houſe from the county of Ulſter.

A petition of Nathan Whitney and others, inhabitants of the county of Ontario, praying alterations in the act to regulate highways, was read, and ordered to be laid on the table.

Ordered, That Mitchell and Mr. Jenkins be added to the committee to whom were referred ſundry petitions relative to the more ample and ſpeedy relief of perſons confined for debt.

Mr. Griſwold, from the ſelect committee to whom was committed the bill entitled "*An act to incorporate the inhabitants of that part of the patent of Schenectady therein mentioned,*" reported, that the committee had gone through the bill and made amendments, which he was directed to report to the Houſe, and he read the report in his place and delivered the ſame in at the table, where it was again read agreed to by the Houſe.

Ordered, That the bill be engroſſed.

Mr. Halſey, from the ſelect committee to whom was committed the bill entitled "*An act for dividing certain towns in the county of Onondaga,*" reported, that the committee had gone through the bill without amendment, which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

Mr. Storm, from the ſelect committee to whom was committed the bill entitled "*An act to incorporate the mutual aſſurance company in the city of New-York,*" and to whom was alſo committed the bill entitled "*An act to incorporate the Fire-Men of the city of New-York,*" reported, that the committee had gone through the ſaid bills reſpectively without amendment, which he was directed to report to the Houſe, and he read the report in his place and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the ſaid bills be ſeverally engroſſed.

Mr. Maſon, from the committee of the whole Houſe on the bill entitled "*An act granting an additional term of the court of Common Pleas in the county of Delaware,*" reported, that the committee had gone through the bill without amendment, which he was directed to report to the Houſe, and he read the report in his place and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

A copy of a reſolution of the Hon. the Senate, delivered by Mr. Thompſon and Mr. Tillotſon, was read, and is in the words following, viz.

Reſolved, That the Senate will meet the Hon. the Aſſembly in the Aſſembly chamber on Tueſday the ſixth day of March next, at four of the clock in the afternoon, in order to hold the conference propoſed, on the amendments to the bill entitled "*An act to amend the act entitled "An act to regulate highways,*" and that Mr. Jones, Mr. Spencer and Mr. Gold be a committee to manage the ſaid conference on the part of the Senate.

The Houſe proceeded to the conſideration of the amendments of the Hon. the Senate to the bill entitled "*An act to amend the act entitled "An act for laying out part of lot No. 1, in the town of Hannibal, in the county of Onondaga, into city lots, and for other purpoſes therein mentioned,*" the bill and amendments were read; one of the ſaid amendments was to expunge the word "*city*" in the title, and the amendments being read a ſecond time, were concurred in by the Houſe, and the bill amended accordingly.

Ordered, That Mr. Ten Broeck and Mr. Thomas deliver the bill to the Hon. the Senate, and inform them that this Houſe have concurred in their amendments, and have amended the bill accordingly.

Mr. Fairlie, from the committee of the whole Houſe, on the bill entitled "*An act to amend the act entitled "An act making alterations in the criminal law of this State, and for erecting State Priſons,*" reported, that in proceeding in the ſaid bill, a clauſe thereof was read, and is in the words following, viz.

Be it enacted by the people of the State of New-York repreſented in Senate and Aſſembly, That any perſon who ſhall hereafter be guilty of the crime of arſon, then every perſon being thereof convicted, according to the due courſe of law, ſhall be deemed guilty of felony, and ſhall be hanged by the neck until he or ſhe ſhall be dead, any law to the contrary notwithſtanding.

That debates were had thereon, and the queſtion being put, whether the committee did agree thereto, it paſſed in the negative in the manner following, viz.

For the Negative.

Mr. Arcularius,	Mr. Burt,	Mr. Halſey,	Mr. Rice,
Mr. Barber,	Mr. Carman,	Mr. Horton,	Mr. Robins,
Mr. J. Barker,	Mr. Clark,	Mr. Howard,	Mr. A. Smith,
Mr. T. Barker,	Mr. Clifft,	Mr. Hunt,	Mr. T. Smith,
Mr. W. Barker,	Mr. Clinton,	Mr. Maſon,	Mr. N. Smith,
Mr. Benton,	Mr. Coe,	Mr. Micheau,	Mr. Storm,
Mr. Bird,	Mr. Comſtock,	Mr. Miller,	Mr. Teed,
Mr. Bowen,	Mr. Coryell,	Mr. Mitchell,	Mr. Jeſſe Thompſon,
Mr. Bowman,	Mr. De la Montagnie,	Mr. Moffet,	Mr. Vandervoort,
Mr. Boyd,	Mr. Foot,	Mr. Potter,	Mr. Warner,
Mr. Brown,	Mr. Gray,	Mr. Reeve,	Mr. Wheeler. 45
Mr. Burling,			

For the Affirmative.

Mr. Adams,	Mr. Heermance,	Mr. Ogden,	Mr. Speaker,
Mr. Bruyn,	Mr. Henry,	Mr. Pearſall,	Mr. Joel Thompſon,
Mr. Campbell,	Mr. J. Hogeboom,	Mr. Pride,	Mr. Van Alſtyne,
Mr. J. A. De Witt,	Mr. K. Hogeboom,	Mr. P. P. Schuyler,	Mr. Verplank,
Mr. J. C. De Witt,	Mr. Holly,	Mr. Skidmore,	Mr. Voſburgh,
Mr. Fonda,	Mr. M'Cord,	Mr. J. Smith,	Mr. Wendell,
Mr. Gettman,	Mr. Metcalfe,	Mr. Snell,	Mr. Weſt. 30
Mr. Hatfield,	Mr. Morſe,		

That in proceeding further in the ſaid bill, a clauſe thereof was read, and is in the words following, viz.

And be it further enacted, That the Treaſurer ſhall, and he is hereby directed, on the warrant or warrants of the Comptroller, to pay to the ſaid inſpectors ſuch ſums as may be neceſſary for the ſupport of the priſoners, and for the purchaſe of articles of manufacture, and tools not exceeding dollars in the whole.

That a motion was made, that the words "*twelve thouſand*" ſhould be inſerted in the blank in the ſaid clauſe.

That debates were had thereon, and the queſtion being put, whether the committee did agree thereto, it was carried in the affirmative in the manner following, viz.

For the Affirmative.

Mr. Arcularius,	Mr. Dewey,	Mr. Maſon,	Mr. Skidmore,
Mr. Barber,	Mr. Gray,	Mr. M'Neal,	Mr. A. Smith,
Mr. J. Barker,	Mr. Griſwold,	Mr. Miller,	Mr. T. Smith,
Mr. Boyd,	Mr. Halſey,	Mr. Mitchell,	Mr. J. Smith,
Mr. Brown,	Mr. Heermance,	Mr. Moffet,	Mr. Storm,
Mr. Burling,	Mr. Henry,	Mr. Morſe,	Mr. Speaker,
Mr. Campbell,	Mr. Holt,	Mr. Potter,	Mr. Jeſſe Thompſon,
Mr. Clinton,	Mr. Horton,	Mr. Pride,	Mr. Joel Thompſon,
Mr. Coe,	Mr. Howard,	Mr. Reeve,	Mr. Warner,
Mr. Coryell,	Mr. Hunt,	Mr. Rice,	Mr. Wheeler,
Mr. De la Montagnie,	Mr. Jenkins,	Mr. Robins,	Mr. Wood. 44

For the Negative.

Mr. Adams,	Mr. Clark,	Mr. Holly,	Mr. P. P. Schuyler,
Mr. Baldwin,	Mr. Comſtock,	Mr. M'Cord,	Mr. Snell,
Mr. T. Barker,	Mr. J. C. De Witt,	Mr. Metcalfe,	Mr. Teed,
Mr. W. Barker,	Mr. Foot,	Mr. Ogden,	Mr. Van Alſtyne,
Mr. Benton,	Mr. Gettman,	Mr. Pearſall,	Mr. Voſburgh,
Mr. Bowen,	Mr. Hatfield,	Mr. Roſs,	Mr. Wendell,
Mr. Burt,	Mr. J. Hogeboom,	Mr. Savage,	Mr. Weſt. 28

That another clauſe in the ſaid bill was read, and is the words following, viz.

And be it further enacted, That the Treaſurer ſhall, and he is hereby directed, on the warrant or warrants of the Comptroller, to pay out of any unappropriated money in the treaſury, to the commiſſioners of the ſaid State Priſon, a ſum not exceeding dollars, for the finiſhing and completing the ſaid priſon agreeably to the report of the ſaid commiſſioners.

That a motion was made, that the words "*ſeventy-one thouſand, three hundred and forty-ſix*" ſhould be inſerted in the blank in the ſaid clauſe.

That debates were had thereon, and the queſtion being put, whether the committee did agree thereto, it was carried in the affirmative in the manner following, viz.

For the Affirmative.

Mr. Arcularius,	Mr. Dewey,	Mr. Metcalfe,	Mr. Skidmore,
Mr. J. Barker,	Mr. Foot,	Mr. Miller,	Mr. A. Smith,
Mr. T. Barker,	Mr. Gray,	Mr. Mitchell,	Mr. T. Smith,
Mr. Bowen,	Mr. Griſwold,	Mr. Moffet,	Mr. Storm,
Mr. Boyd,	Mr. Hall,	Mr. Morſe,	Mr. Speaker,
Mr. Brown,	Mr. Halſey,	Mr. Potter,	Mr. Jeſſe Thompſon,
Mr. Bruyn,	Mr. Holt,	Mr. Pride,	Mr. Joel Thompſon,
Mr. Burling,	Mr. Hovey,	Mr. Reeve,	Mr. Vandervoort,
Mr. Clinton,	Mr. Howard,	Mr. Rice,	Mr. Warner,
Mr. Coe,	Mr. Hunt,	Mr. Robins,	Mr. Wendell,
Mr. Coryell,	Mr. Maſon,	Mr. Roſs,	Mr. Wheeler,
Mr. De la Montagnie,	Mr. M'Neal,	Mr. P. I. Schuyler,	Mr. Wood. 48

For the Negative.

Mr. Adams,	Mr. Comſtock,	Mr. J. Hogeboom,	Mr. P. P. Schuyler,
Mr. Baldwin,	Mr. Cornwell,	Mr. Holly,	Mr. J. Smith,
Mr. W. Barker,	Mr. J. A. De Witt,	Mr. Jenkins,	Mr. Snell,
Mr. Benton,	Mr. J. C. De Witt,	Mr. M'Cord,	Mr. Teed,
Mr. Burt,	Mr. Gettman,	Mr. Ogden,	Mr. Van Alſtyne,
Mr. Carman,	Mr. Hatfield,	Mr. Pearſall,	Mr. Voſburgh,
Mr. Clark,	Mr. Heermance,	Mr. Savage,	Mr. Weſt. 29
Mr. Clifft,			

Mr. Fairlie further reported, that the committee had gone through the bill, made amendments and added clauſes, which he was directed to report to the Houſe, and

he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

Ordered, That the committee of the whole Houſe be diſcharged from the further conſideration of the bill entitled "*An act to divide the town of Whiteſtown*," and the bill entitled "*An act for dividing the town of Norway, in the county of Herkemer*," and that the ſaid bills be ſeverally committed to the Members attending in this Houſe from the county of Herkemer.

Ordered, That the committee of the whole Houſe be diſcharged from the further conſideration of the bill entitled "*An act authorizing the Mayor, Aldermen and Commonalty of the city of Albany to raiſe monies by tax for defraying the expenſe of lighting the lamps and for the ſupport of a night-watch*," and that the ſaid bill be committed to a committee, conſiſting of the Members attending in this Houſe from the city and county of Albany.

Ordered, That the committee of the whole Houſe be diſcharged from the further conſideration of the bill entitled "*An act to amend the act entitled "An act for dividing the county of Schoharie into towns*," and the bill entitled "*An act for building a Court-Houſe and Gaol in the county of Schoharie*," and that the ſaid bills be ſeverally committed to a committee, conſiſting of Mr. Rice, Mr. Joel Thompſon and Mr. Horton.

Ordered, That the committee of the whole Houſe be diſcharged from the further conſideration of the bill entitled "*An act for raiſing a ſum of money for building a Court-Houſe and Gaol in Delaware county, and for other purpoſes therein mentioned*," and that the ſaid bill be committed to Mr. Horton, Mr. Coryell and Mr. Bowen.

Then the Houſe adjourned until ten o'clock to-morrow morning.

Friday, ten o'clock, A. M. March 2d, 1798.

The engroſſed bill entitled "*An act to incorporate that part of the town of Schenectady therein mentioned*;" the engroſſed bill entitled "*An act to amend the act making alterations in the criminal law of this State, and for erecting State Priſons*;" the engroſſed bill entitled "*An act to incorporate the Mutual Aſſurance Company in the city of New-York*;" the engroſſed bill entitled "*An act to divide the town of Saratoga, and for other purpoſes*;" the engroſſed bill entitled "*An act for dividing certain towns in the county of Onondaga*;" and the engroſſed bill entitled "*An act granting an additional term of the court of Common Pleas in the county of Delaware*," were ſeverally read the third time and paſſed.

Ordered, That Mr. Thomas and Mr. Jeſſe Thompſon deliver the ſaid bills to the Hon. the Senate and requeſt their concurrence.

A petition of John Stoyell and others, praying that a road may be opened through a certain part of the weſtern country, was read, and referred to Mr. Hall, Mr. Howard and Mr. Voſburgh.

A petition of William Richardſon and others, inhabitants of the county of Onondaga, praying a law authorizing them to uſe blood-hounds for hunting of deer, was read, and referred to Mr. Halſey, Mr. Adams and Mr. Miller.

A petition of John Lawrence and others, a petition of Alpheus Eaton and others, and a petition of Peter Ogden and others, praying that they may be enabled by law to erect a bridge over the Hudſon's river, in the county of Saratoga, and the petition of Hopkins Greene and others, praying aſſiſtance to enable them to build a bridge over the Weſt Canada Creek, in the county of Herkemer, were ſeverally read, and referred to Mr. Wheeler, Mr. Bruyn and Mr. Clark.

A petition of Jedidiah Blanchard, praying a grant of bounty lands for his ſervices during the late war, and the petition of the heirs at law of John Fletcher, late a corporal in Col. Seth Warner's regiment, praying a grant of lands for his ſervices, were ſeverally read, and referred to Mr. Hatfield, Mr. Burr and Mr. Snell.

Mr. Storm from the ſelect committee to whom was referred the ſubſtitute for the bill entitled "*An act to prevent the profanation of the Sabbath*," reported, that the committee have examined the ſaid ſubſtitute, made ſome amendments, filled up the blanks and altered the title, the altered title is "*An act to amend an act entitled "An act for ſuppreſſing immorality*," paſſed the 23d day of February, 1788, which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read.

Ordered, That the ſaid bill be recommitted to a committee of the whole Houſe.

Mr. Wendell, from the ſelect committee to whom was committed the bill entitled "*An act authorizing the Mayor, Aldermen and Commonalty of the city of Albany to raiſe monies by tax for defraying the expenſe of lighting the lamps and for the ſupport of a night-watch*," reported, that the committee had gone through the bill without amendment, which he was directed to report to the Houſe, and he read the report in his place and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

Mr. Coryell, from the committee to whom was referred the petition of Ebenezer Foot and others, reported in favor of the petitioners, and obtained leave to bring in a bill entitled "*An act to erect part of the towns of Middletown, Kortright and Walton, in the county of Delaware, into a ſeparate town*," which was read the firſt time and ordered a ſecond reading.

Mr. Brown, from the committee of the whole Houſe, on the bill entitled "*An act ſupplementary to the act entitled "An act to reduce the laws concerning coſts into one ſtatute*," reported, that after the ſaid bill had been read in the committee, Mr. Comſtock made a motion, that the committee ſhould agree to reject the ſame; that debates were had thereon, and the queſtion being put, whether the committee did agree to reject the ſaid bill, it paſſed in the negative in the manner following, viz.

For the Negative.

Mr. Adams,	Mr. Fairlie,	Mr. M'Cord,	Mr. J. Smith,
Mr. Arcularius,	Mr. Fonda,	Mr. M'Neal,	Mr. N. Smith,
Mr. Baldwin,	Mr. Foot,	Mr. Metcalfe,	Mr. Snell,
Mr. T. Barker,	Mr. Gettman,	Mr. Micheau,	Mr. Storm,
Mr. W. Barker,	Mr. Gray,	Mr. Miller,	Mr. Speaker,
Mr. Benton,	Mr. Gregory,	Mr. Mitchell,	Mr. Thomas,
Mr. Bowen,	Mr. Hall,	Mr. Morſe,	Mr. Jeſſe Thompſon,
Mr. Boyd,	Mr. Halſey,	Mr. Ogden,	Mr. Iſrael Thompſon,
Mr. Burr,	Mr. Hatfield,	Mr. Potter,	Mr. Joel Thompſon,
Mr. Burling,	Mr. Henry,	Mr. Prince,	Mr. Vandervoort,
Mr. Burt,	Mr. Hoag,	Mr. Reeve,	Mr. Van Alſtyne,
Mr. Clifft,	Mr. J. Hogeboom,	Mr. Rice,	Mr. Verplank,
Mr. Clinton,	Mr. K. Hogeboom,	Mr. Robins,	Mr. Voſburgh,
Mr. Coe,	Mr. Holly,	Mr. Roſs,	Mr. Warner,
Mr. Cornwell,	Mr. Holt,	Mr. Savage,	Mr. Weſt,
Mr. Coryell,	Mr. Horton,	Mr. P. I. Schuyler,	Mr. Wheeler,
Mr. De la Montagnie,	Mr. Jenkins,	Mr. P. P. Schuyler,	Mr. Williamſon,
Mr. Dewey,	Mr. Maſon,	Mr. Skidmore,	Mr. Wood. 72

For the Affirmative.

Mr. J. Barker,	Mr. Carman,	Mr. Pearſall,	Mr. T. Smith,
Mr. Bowman,	Mr. Comſtock,	Mr. Pride,	Mr. Teed. 11
Mr. Campbell,	Mr. Moffet,	Mr. A. Smith,	

That Mr. Burr made a motion, that the committee ſhould agree to expunge the words "*only ſo much coſts as the damages ſo given, or aſſeſſed, amount to, without any further increaſe of the ſame*," and inſert "*no coſts of increaſe.*" That debates were had thereon, and the queſtion being put, whether the committee did agree thereto, it paſſed in the negative in the manner following, viz.

For the Negative.

Mr. Baldwin,	Mr. Comſtock,	Mr. J. Hogeboom,	Mr. Savage,
Mr. Barber,	Mr. Cornwell,	Mr. Holly,	Mr. Skidmore,
Mr. T. Barker,	Mr. Coryell,	Mr. Holt,	Mr. A. Smith,
Mr. W. Barker,	Mr. J. A. De Witt,	Mr. Horton,	Mr. T. Smith,
Mr. Benton,	Mr. J. C. De Witt,	Mr. Maſon,	Mr. J. Smith,
Mr. Bevier,	Mr. Dewey,	Mr. Metcalfe,	Mr. Speaker,
Mr. Bowman,	Mr. Fairlie,	Mr. Micheau,	Mr. Teed,
Mr. Bruyn,	Mr. Fonda,	Mr. Mitchell,	Mr. Jeſſe Thompſon,
Mr. Burling,	Mr. Gettman,	Mr. Moffet,	Mr. Joel Thompſon,
Mr. Burt,	Mr. Gray,	Mr. Ogden,	Mr. Vandervoort,
Mr. Campbell,	Mr. Hall,	Mr. Pearſall,	Mr. Van Alſtyne,
Mr. Carman,	Mr. Halſey,	Mr. Potter,	Mr. Verplank,
Mr. Clark,	Mr. Heermance,	Mr. Prince,	Mr. Weſt,
Mr. Clifft,	Mr. Henry,	Mr. Rice,	Mr. Wheeler. 59
Mr. Clinton,	Mr. Hoag,	Mr. Roſs,	

For the Affirmative.

Mr. Adams,	Mr. De la Montagnie,	Mr. Miller,	Mr. Storm,
Mr. Arcularius,	Mr. Foot,	Mr. Morſe,	Mr. Thomas,
Mr. J. Barker,	Mr. Gregory,	Mr. Reeve,	Mr. Voſburgh,
Mr. Bowen,	Mr. Hatfield,	Mr. Robins,	Mr. Warner,
Mr. Boyd,	Mr. K. Hogeboom,	Mr. P. I. Schuyler,	Mr. Williamſon,
Mr. Burr,	Mr. Jenkins,	Mr. N. Smith,	Mr. Wood.
Mr. Coe,	Mr. M'Cord,		

That Mr. Comſtock made a motion, that the committee ſhould agree to add a clauſe to the ſaid bill in the words following, viz.

"And be it further enacted, That actions for aſſault and battery are hereby made cognizable before a Court of Juſtices of the Peace in all cauſes where the plaintiff or complainant ſhall not lay his damages over the ſum of dollars."

That debates were had thereon, and the queſtion being put, whether the committee did agree thereto, it was carried in the affirmative in the manner following, viz.

For the Affirmative.

Mr. Adams,	Mr. Carman,	Mr. Hoag,	Mr. Reeve,
Mr. Arcularius,	Mr. Clark,	Mr. J. Hogeboom,	Mr. Rice,
Mr. Barber,	Mr. Clifft,	Mr. K. Hogeboom,	Mr. Skidmore,
Mr. J. Barker,	Mr. Coe,	Mr. Holly,	Mr. A. Smith,
Mr. T. Barker,	Mr. Comſtock,	Mr. Horton,	Mr. T. Smith,
Mr. Benton,	Mr. Cornwell,	Mr. Jenkins,	Mr. J. Smith,
Mr. Bevier,	Mr. Coryell,	Mr. M'Cord,	Mr. N. Smith,
Mr. Bowman,	Mr. J. C. De Witt,	Mr. Miller,	Mr. Teed,
Mr. Boyd,	Mr. Gettman,	Mr. Moffet,	Mr. Iſrael Thompſon,
Mr. Bruyn,	Mr. Gray,	Mr. Morſe,	Mr. Joel Thompſon,
Mr. Burr,	Mr. Gregory,	Mr. Pearſall,	Mr. Vandervoort,
Mr. Burling,	Mr. Hall,	Mr. Potter,	Mr. Voſburgh,
Mr. Burt,	Mr. Halſey,	Mr. Prince,	Mr. Warner.
Mr. Campbell,	Mr. Hatfield,	Mr. Pride,	

For the Negative.

Mr. Baldwin,	Mr. Foot,	Mr. Ogden,	Mr. Speaker,
Mr. W. Barker,	Mr. Heermance,	Mr. Robins,	Mr. Thomas,
Mr. Bowen,	Mr. Henry,	Mr. Roſs,	Mr. Jeſſe Thompſon,
Mr. Clinton,	Mr. Holt,	Mr. Savage,	Mr. Van Alſtyne,
Mr. De la Montagnie,	Mr. Maſon,	Mr. P. I. Schuyler,	Mr. Verplank,
Mr. J. A. De Witt,	Mr. M'Neal,	Mr. P. P. Schuyler,	Mr. Wendell,
Mr. Dewey,	Mr. Metcalfe,	Mr. Snell,	Mr. Weſt,
Mr. Fairlie,	Mr. Micheau,	Mr. Storm,	Mr. Wheeler.
Mr. Fonda,	Mr. Mitchell,		

That a motion was made, that the words "*two or more*" ſhould be inſerted in the blank in the ſaid clauſe; that debates were had thereon, and the queſtion being put, whether the committee did agree thereto, it was carried in the affirmative in the manner following, viz.

For the Affirmative.

Mr. Arcularius,	Mr. Comſtock,	Mr. Metcalfe,	Mr. A. Smith,
Mr. Barber,	Mr. Cornwell,	Mr. Micheau,	Mr. T. Smith,
Mr. J. Barker,	Mr. Coryell,	Mr. Miller,	Mr. J. Smith,
Mr. T. Barker,	Mr. J. C. De Witt,	Mr. Mitchell,	Mr. Storm,
Mr. Benton,	Mr. Dewey,	Mr. Moffet,	Mr. Teed,
Mr. Bowen,	Mr. Gray,	Mr. Morſe,	Mr. Thomas,
Mr. Bowman,	Mr. Hatfield,	Mr. Pearſall,	Mr. Iſrael Thompſon,
Mr. Bruyn,	Mr. Hoag,	Mr. Potter,	Mr. Vandervoort,
Mr. Burr,	Mr. J. Hogeboom,	Mr. Pride,	Mr. Van Alſtyne,
Mr. Burling,	Mr. Holly,	Mr. Reeve,	Mr. Verplank,
Mr. Campbell,	Mr. Holt,	Mr. Rice,	Mr. Vosburgh,
Mr. Carman,	Mr. Horton,	Mr. Savage,	Mr. Warner,
Mr. Clark,	Mr. Jenkins,	Mr. P. I. Schuyler,	Mr. Weſt,
Mr. Clifft,	Mr. M'Cord,	Mr. Skidmore,	Mr. Wheeler.
Mr. Coe,	Mr. M'Neal,		

For the Negative.

Mr. Baldwin,	Mr. Fairlie,	Mr. Heermance,	Mr. P. P. Schuyler,
Mr. Bevier,	Mr. Fonda,	Mr. K. Hogeboom,	Mr. Snell,
Mr. Burt,	Mr. Foot,	Mr. Ogden,	Mr. Speaker,
Mr. Clinton,	Mr. Gettman,	Mr. Prince,	Mr. Jeſſe Thompſon,
Mr. De la Montagnie,	Mr. Hall,	Mr. Robins,	Mr. Joel Thompſon.
Mr. J. A. De Witt,	Mr. Halſey,	Mr. Roſs,	

Mr. Brown reported further progreſs, and obtained leave to ſit again.

Then the Houſe adjourned until ten o'clock to-morrow morning.

Saturday, ten o'clock, A. M. March 3d, 1798.

The engroſſed bill entitled "*An act to incorporate the Fire-Men in the city of New-York,*" was read the third time.

Reſolved, That the bill do paſs.

Ordered, That Mr. Jeſſe Thompſon and Mr. Iſrael Thompſon deliver the bill to the Hon. the Senate and requeſt their concurrence.

The bill entitled "*An act to erect part of the towns of Middletown, Kortright and Walton, in the county of Delaware, into a ſeparate town,*" was read the ſecond time and committed to a ſelect committee conſiſting of Mr. Horton, Mr. Brown and Mr. Henry.

A petition of John Joyce, was read, and ordered to lie on the table.

A petition of Myndert Wemple, praying that the Legiſlature will grant him the privilege of making choice of a lot of land in the tract purchaſed of the Indians, and formerly a part of the Oneida reſervation, and to pay for the ſame at the average price when the ſame ſhall be ſold, was read and referred to Mr. Bruyn, Mr. Gettman and Mr. Prince.

A petition of Daniel Greene and others, inhabitants of the county of Weſtcheſter, and a petition of John Crane and others, inhabitants of the county of Dutcheſs, praying for the erection of a new county from parts of the ſaid counties, were read and referred to Mr. Benton, Mr. Hoag and Mr. Wendell.

A repreſentation of Hendrick Aupumut, in behalf of the Stockbride or Mohegan tribe of Indians, was read and referred to Mr. Wood, Mr. Bevier and Mr. Williamſon.

A petition of the inhabitants of the town of Woodſtock, in the county of Ulſter, praying a diviſion of the ſaid town, was read and committed to a committee of the whole Houſe, when on the bill entitled "*An act for erecting parts of the counties of Ulſter and Albany into a ſeparate county.*"

Mr. Clifft, from the committee to whom was referred the petition of John Dubois and others, reported, that no proofs in ſupport of the allegations contained in the petition have been offered to the committee; but the prayer thereof involves ſeveral queſtions of law, and as the committee have ſome reaſon to believe that the State may eventually be affected, and that it will demand an inveſtigation which cannot in their opinion be ſatisfactorily made during the preſent ſeſſion of the Legiſlature, they therefore recommend that the ſaid petition be referred to the Attorney-General. Which report was agreed to by the Houſe. Thereupon,

Ordered, That the ſaid petition be referred to the Attorney-General.

Mr. Howard, from the committee to whom was referred the petition of Caleb Smith and others, reported a reſolution with a recital, which was read and agreed to by the Houſe: The ſame is in the words following, viz.

Whereas Caleb Smith, jun. Thomas Hallock and others, freeholders of Smithtown, in the county of Suffolk, have, by their humble petition, repreſented to this Legiſlature, that, on the 12th day of June, 1717, a certain public highway was laid out by the commiſſioners of ſaid county, extending from a public landing at Jones's point, on Niſſequawy river, in Smithtown aforeſaid, ſoutherly to the plains: That ſaid landing place having for a long time been uſeleſs to the public, a great part of ſaid road has alſo become uſeleſs: That the petitioners have therefore been obliged to purchaſe a road, at their own expenſe, leading to another landing near the mouth of ſaid river; and that the ſaid petitioners do therefore pray, that ſo much of the ſaid firſt mentioned road, as has become uſeleſs to the public, may be ſold for their benefit. Therefore,

Reſolved, (if the Hon. the Senate concur therein) That the ſaid petitioners have leave to bring in a bill to either Houſe of the Legiſlature, at their next ſeſſion, for the ſale of ſo much of the ſaid firſt mentioned highway as has become uſeleſs to the public, provided that they ſhall give public notice of the ſame by notification ſet up at three public places in Smithtown aforeſaid, and in one of the public newſpapers, printed in the city of New-York, for three weeks ſucceſſively previous to the meeting of the next ſeſſion of the Legiſlature, ſo that any perſon or perſons, concerned in the premiſes, may appear before the Legiſlature, at their ſaid next ſeſſion, and ſhew cauſe, if any they have, why the ſaid road ſhould not be ſold for the benefit of ſaid petitioners.

Ordered, That Mr. Joel Thompſon and Mr. Vandervoort deliver a copy of the preceding reſolution to the Hon. the Senate.

Mr. Comſtock, from the committee to whom was referred the petition of the inhabitants of the town of Sherburne, in the county of Herkemer, reported in favor of the petitioners, and obtained leave to bring in a bill entitled "*An act relative to the goſpel and ſchool lots in the town of Sherburne, in the county of Herkemer*," which was read the firſt time and ordered a ſecond reading.

A meſſage from the Hon. the Senate, delivered by Mr. Tillotſon and Mr. Vail, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "*An act to empower the Governor to provide for the entertainment of Indians viſiting the ſeat of government of this State on buſineſs*," without amendment.

Ordered, That Mr. Joel Thompſon and Mr. Vandervoort deliver the bill to the Hon. the Council of Reviſion.

With the ſame meſſage was alſo received the bill entitled "*An act concerning manumiſſions of ſlaves heretofore made by the people commonly called Quakers, and others*," informing that the Senate have paſſed the ſame with the amendments therewith delivered. The bill and amendments were read, and the amendments being read a ſecond time, were concurred in by the Houſe, and the bill amended accordingly.

Ordered, That Mr. Joel Thompſon and Mr. Vandervoort deliver the bill to the Hon. the Senate, and inform them that this Houſe have concurred in their amendments and have amended the bill accordingly.

With the ſame meſſage was alſo received the bill entitled "*An act for the relief of the executors of Abraham Wing, deceaſed*," to which they requeſt the concurrence of this Houſe. The ſaid bill was read the firſt time and ordered a ſecond reading.

The Hon. the Senate returned by Mr. Tillotſon and Mr. Vail, the bill entitled "*An act to amend the act entitled "An act for laying out lot No 1, in the town of Hannibal, in the county of Onondaga, into lots, and for other purpoſes therein mentioned.*"

Ordered, That Mr. Joel Thompſon and Mr. Vandervoort deliver the bill to the Hon. the Council of Reviſion.

A copy of a reſolution of the Hon. the Senate, alſo delivered by Mr. Tillotſon and Mr. Vail, was read, and is in the words following, viz.

Reſolved, That a conference be held with the Hon. the Aſſembly on Wedneſday next, at four of the clock in the afternoon, at ſuch place as they ſhall be pleaſed to appoint, on their amendment to the bill entitled "*An act concerning quit rents*," which has not been concurred in by the Senate, and that Mr. Jones, Mr. Watſon and Mr. Tillotſon be a committee on the part of the Senate to manage the ſaid conference.

Thereupon, *Reſolved*, That this Houſe will meet the Hon. the Senate in the Aſſembly chamber, on Wedneſday next, at four of the clock in the afternoon, on the amendment to the bill entitled "*An act concerning quit rents*," and that Mr. Burr, Mr. Metcalfe and Mr. Bird be a committee to manage the ſaid conference on the part of this Houſe.

Ordered, That Mr. Iſrael Thompſon and Mr. Joel Thompſon deliver a copy of the preceding reſolution to the Hon. the Senate.

A meſſage from his Excellency the Governor, delivered by his private ſecretary, was read, and is in the words following, viz.

GENTLEMEN,

In purſuance of the act for that purpoſe lately paſſed, I appointed commiſſioners to confer with the Oneida Chiefs reſpecting the lands which their tribe deſire to ſell.

On comparing the act with the report which the commiſſioners have made to me, and of which a copy accompanies this meſſage; I preſume it will appear that further Legiſlative direction and authority will be neceſſary in caſe it ſhould be deemed adviſable to accept the terms and propoſals of theſe Indians.

JOHN JAY.

ALBANY, *March* 3*d*, 1798.

The Houſe proceeded to the conſideration of the ſaid meſſage and the papers referred to in the ſame. Thereupon,

Reſolved, (if the Hon. the Senate concur herein) That it be recommended to his Excellency the Governor to accede to the offers and propoſals of the Oneida nation of Indians for the ſale of certain parcels of their reſervation, as ſpecified in the

report from the agents appointed by him to meet and confer with the ſaid Indians, and that the Legiſlature will make the requiſite proviſion in the premiſes.

Ordered, That Mr. Iſrael Thompſon and Mr. Joel Thompſon deliver a copy of the preceding reſolution to the Hon. the Senate.

Mr. Brown, from the committee of the whole Houſe on the bill entitled "*An act for the relief of Seth R. Kneeland and Barzillai Duſenbury*," reported, that after the ſaid bill had been read, Mr. Comſtock made a motion, that the ſame ſhould be rejected, that debates were had thereon, and the queſtion being put whether the committee did agree thereto, it was carried in the affirmative in the manner following, viz.

For the Affirmative.

Mr. Adams,	Mr. Cornwell,	Mr. Holly,	Mr. P. P. Schuyler,	
Mr. Baldwin,	Mr. J. A. De Witt,	Mr. Horton,	Mr. Skidmore,	
Mr. T. Barker,	Mr. J. C. De Witt,	Mr. Howard,	Mr. J. Smith,	
Mr. Bevier,	Mr. Gettman,	Mr. M'Cord,	Mr. N. Smith,	
Mr. Bowen,	Mr. Gray,	Mr. M'Neal,	Mr. Snell,	
Mr. Bruyn,	Mr. Gregory,	Mr. Miller,	Mr. Speaker,	
Mr. Burt,	Mr. Hall,	Mr. Pearſall,	Mr. Teed,	
Mr. Campbell,	Mr. Halſey,	Mr. Potter,	Mr. Jeſſe Thompſon,	
Mr. Carman,	Mr. Hatfield,	Mr. Pride,	Mr. Joel Thompſon,	
Mr. Clark,	Mr. Heermance,	Mr. Reeve,	Mr. Van Alſtyne,	
Mr. Clift,	Mr. Hoag,	Mr. Rice,	Mr. Voſburgh,	
Mr. Coe,	Mr. J. Hogeboom,	Mr. Roſa,	Mr. Wendell,	
Mr. Comſtock,	Mr. K. Hogeboom,	Mr. P. I. Schuyler,	Mr. Wood.	52

For the Negative.

Mr. Arcularius,	Mr. Boyd,	Mr. Fairlie,	Mr. Robins,	
Mr. Barber,	Mr. Burling,	Mr. Foot,	Mr. A. Smith,	
Mr. W. Barker,	Mr. Clinton,	Mr. Hunt,	Mr. Storm,	
Mr. Benton,	Mr. Coryell,	Mr. Mitchell,	Mr. Warner.	19
Mr. Bowman,	Mr. De la Montagnie,	Mr. Morſe,		

Which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe, Thereupon,

Reſolved, That the bill be, and it is hereby rejected.

Mr. Benton, from the committee of the whole Houſe on the bill entitled "*An act for the relief of Cary Ludlow and Gabriel W. Ludlow*," reported, that after the ſaid bill had been read in the committee, Mr. M'Cord made a motion that the committee ſhould agree to reject the ſame, that debates were had thereon, and the queſtion being put whether the committee did agree thereto, it was carried in the affirmative; which he was directed to report to the Houſe, and he read the report in his place and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Thereupon, *Reſolved*, That the ſaid bill be, and it is hereby rejected.

Then the Houſe adjourned until ten o'clock on Monday morning next.

Monday, ten o'clock, A. M. March 5th, 1798.

The engroſſed bill entitled "*An act authorizing the Mayor, Aldermen and Commonalty of the city of Albany to raiſe a ſum by tax for defraying the expenſe of lighting the lamps and for the ſupport of a night-watch in the ſaid city*," was read the third time.

Reſolved, That the bill do paſs.

Ordered, That Mr. Joel Thompſon and Mr. Vandervoort deliver the bill to the Hon. the Senate, and requeſt their concurrence.

The bill entitled "*An act relative to the goſpel and ſchool lots in the town of Sherburne, in the county of Herkemer*," and the bill entitled "*An act for the relief of the executors of Abraham Wing, deceaſed*," were ſeverally read the ſecond time and committed to a committee of the whole Houſe.

A petition of James Alner and others, praying compenſation for a quantity of hoſpital ſtores, which they, in the year 1775, took from the Britiſh and delivered to Peter T. Curtenius, then commiſſary of the State, was read and referred to Mr. Fairlie, Mr. Thomas and Mr. Vandervoort.

A petition of Jacob G. Klock and others, praying a grant of money for the purpoſe of building a bridge acroſs the Mohawk river, in the town of Palatine, in the

county of Montgomery, was read and referred to Mr. Kane, Mr. Baldwin and Mr. Snell.

A petition of Aquila Giles and others, of the city of New-York, praying that a law may be paſſed for the more ſpeedy and ample relief of perſons confined for debt, was read and referred to Mr. Metcalfe, Mr. Burr, Mr. Bird, Mr. Bowman and Mr. Wood.

A petition of Jotham Bemus, late a ſoldier in the continental army, praying a grant of bounty lands for his ſervices, was read and referred to Mr. Bird, Mr. Fonda and Mr. Bevier.

A petition of John Morgan and others, and a petition of Jonathan Danforth and others, praying a ſuſpenſion of the law directing the ſale of lands on which quit rents are due, ſo far as the ſame reſpects certain lands of which the petitioners are proprietors or part owners, were read and referred to Mr. Metcalfe, Mr. Rice and Mr. Gray.

A petition of Alexander Robertſon and others, and a petition of John Broome and others, merchants and traders in the city of New-York, relative to ſales of goods and merchandize at auction, was read and referred to Mr. Wood, Mr. Bird and Mr. P. I. Schuyler.

Mr. Horton, from the committee to whom was committed the bill entitled "*An act to raiſe a ſum of money for building a Court-Houſe and Gaol in Delaware county, and for other purpoſes therein mentioned,*" reported, that the committee had gone through the bill without amendment, which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

Mr. Dewey, from the committee to whom were referred ſundry petitions, praying for the eſtabliſhment of a turnpike corporation for improving the road to Cherry Valley, reported in favor of the petitioners, and obtained leave to bring in a bill entitled "*An act to eſtabliſh a turnpike corporation for improving the road from the houſe of John Weaver, in Watervliet, to Cherry Valley,*" which was read the firſt time and ordered a ſecond reading.

Mr. Benton, purſuant to notice by him for that purpoſe heretofore given, moved for and obtained leave to bring in a bill entitled "*An act in addition to, and to amend an act entitled "An act for ſuppreſſing immorality,*" which was read the firſt time and ordered a ſecond reading.

Mr. M'Cord, from the ſelect committee to whom was committed the bill entitled "*An act for dividing the town of Rocheſter, in the county of Ulſter,*" reported, that the committee had gone through the bill, made amendments, added clauſes and altered the title ; that the altered title is "*An act for dividing the towns of Rocheſter and Mamakating, in the county of Ulſter,*" which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the amendments be engroſſed.

Mr. Bowman, from the committee to whom was referred the bill entitled "*An act more effectually to provide for the improvement of roads and bridges in certain counties therein mentioned,*" reported, that the committee have reviſed the ſaid bill, made amendments and altered the title ; that the altered title is "*An act for making, improving and keeping in repair the public roads and bridges in the counties therein mentioned,*" which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read : Thereupon,

Ordered, That the ſaid bill be recommitted to a committee of the whole Houſe.

Mr. M'Neal, from the committee to whom was referred the petition of Samuel Bare, reported in favor of the petitioner, and obtained leave to bring in a bill entitled "*An act for the relief of Samuel Bare,*" which was read the firſt time and ordered a ſecond reading.

A petition of Adam B. Vrooman and others, inhabitants of the county of Schoharie, in favor of the petition of John Frazer, for a grant of vacant lands in ſaid county, was read and referred to the committee of the whole Houſe, when on the bill entitled "*An act authorizing the Commiſſioners of the Land-Office to grant letters patent for a tract of land to Daniel Miller, David Warner and George Warner.*"

The Houſe then reſolved itſelf into a committee of the whole Houſe, on the ſaid ſt mentioned bill, and after ſome time ſpent thereon, Mr. Speaker reſumed the air, and Mr. Storm, from the ſaid committee, reported progreſs: Thereupon,

Ordered, That the committee of the whole Houſe be diſcharged from the further nſideration of the ſaid bill and petitions; and that the ſame be committed to a mmittee of the whole Houſe, when on the bill entitled *"An act to amend the act enti- d "An act for the further ſale of the unappropriated lands of this State."*

A meſſage from his Excellency the Governor, delivered by his private ſecretary, as read, and is in the words following, viz.

GENTLEMEN,

I herewith lay before you a letter from the Commiſſioners named in the act for au- orizing the erecting of fortifications within this State. It appears to me to deſerve nſideration, whether it would not be expedient to commit the buſineſs of the forti- cations, and of the arſenals, and of providing arms and ammunition, to one ſet of ommiſſioners, rather than to three.

JOHN JAY.

ALBANY, *March 5th*, 1798.

Ordered, That the meſſage of his Excellency the Governor, and the papers accom- anying the ſame, be referred to a committee, conſiſting of Mr. Burr, Mr. Bowman, Ir. Comſtock, Mr. Griſwold and Mr. Hall; and that the ſaid committee do report eir opinion thereon to the Houſe; and that they alſo report the amount of ex- enditures in erecting fortifications for the defence of the port and harbor of New- ork.

Mr. Savage, from the committee of the whole Houſe, on the bill entitled *"An act r the relief of Henry Ten Eyck,"* reported, that after the bill had been read in the ommittee, and debates had thereon, the queſtion was put, whether the committee d agree thereto, it paſſed in the negative in the manner following, viz.

For the Negative.

Mr. Adams,	Mr. Carman,	Mr. Hall,	Mr. Pearſall,
Mr. Arcularius,	Mr. Coe,	Mr. Halſey,	Mr. Reeve,
Mr. J. Barker,	Mr. Comſtock,	Mr. Hoag,	Mr. Roſs,
Mr. T. Barker,	Mr. Cornwell,	Mr. Holly,	Mr. A. Smith,
Mr. W. Barker,	Mr. Cortell,	Mr. Horton,	Mr. J. Smith,
Mr. Bevier,	Mr. J. A. De Witt,	Mr. Howard,	Mr. Storm,
Mr. Bowen,	Mr. J. C. De Witt,	Mr. Hunt,	Mr. Jelle Thompſon,
Mr. Brown,	Mr. Dewey,	Mr. Michean,	Mr. Vandervoort,
Mr. Bruyn,	Mr. Gray,	Mr. Miller,	Mr. Wheeler,
Mr. Burt,	Mr. Griſwold,	Mr. Mitchell,	Mr. Wood. 40

For the Affirmative.

Mr. Baldwin,	Mr. De la Montagnie,	Mr. M'Cord,	Mr. Skidmore,
Mr. Barber,	Mr. Fairlie,	Mr. M'Neal,	Mr. N. Smith,
Mr. Benton,	Mr. Foot,	Mr. Morſe,	Mr. Snell,
Mr. Bowman,	Mr. Gregory,	Mr. Ogden,	Mr. Speaker,
Mr. Boyd,	Mr. Hatfield,	Mr. Prince,	Mr. Iſrael Thompſon,
Mr. Burr,	Mr. Heermance,	Mr. Pride,	Mr. Joel Thompſon,
Mr. Campbell,	Mr. Henry,	Mr. Rice,	Mr. Van Alſtyne,
Mr. Clift,	Mr. K. Hogeboom,	Mr. Robins,	Mr. Warner,
Mr. Clinton,	Mr. Hovey,	Mr. P. P. Schuyler,	Mr. Wendell. 38
Mr. Deitz,	Mr. Kane,		

Which he was directed to report to the Houſe, and he read the report in his place, nd delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

A copy of a reſolution of the Hon. the Senate, delivered by Mr. Van Schoonhoven nd Mr. Van Vechten, was read, that the Senate do concur with this Houſe in their eſolution as entered on the journals of the 3d inſtant, recommending to his Excel- ency the Governor, to accept of the propoſals made by the Oneida Indians for the le of part of their lands.

Ordered, That Mr. Vandervoort and Mr. Van Alſtine deliver a copy of the ſaid oncurrent reſolution to his Excellency the Governor.

A meſſage from the Hon. the Council of Reviſion, tranſmitted to this Houſe by the Hon. the Senate, was read, that it does not appear improper to the Council that the ill entitled *"An act more effectually to diſcover and apprehend offenders in the city of New-*

York," the bill entitled "*An act supplementary to the act entitled "An act for opening and improving certain great roads within this State,*" and the bill entitled "*An act concerning the court of General Seſſions of the Peace, and the gaol for offenders in and for the city and county of New-York,*" ſhould ſeverally become laws of this State.

Mr. Fairlie, from the committee of the whole Houſe on the bill entitled "*An act for the relief of Iſaac Foot,*" reported, that after the ſaid bill had been read in the committee, and debates had thereon, the queſtion was put whether the committee did agree thereto, it was carried in the affirmative in the manner following, viz.

For the Affirmative.

Mr. Barber,	Mr. Deitz,	Mr. Howard,	Mr. Prince,
Mr. J. Barker,	Mr. Dewey,	Mr. Kane,	Mr. Pride,
Mr. T. Barker,	Mr. Gray,	Mr. M'Neal,	Mr. Reeve,
Mr. W. Barker,	Mr. Griſwold,	Mr. Metcalfe,	Mr. Roſs,
Mr. Benton,	Mr. Hall,	Mr. Miller,	Mr. N. Smith,
Mr. Bowman,	Mr. Henry,	Mr. Mitchell,	Mr. Speaker,
Mr. Brown,	Mr. K. Hogeboom,	Mr. Morſe,	Mr. Jeſſe Thompſon,
Mr. Campbell,	Mr. Holly,	Mr. Ogden,	Mr. Joel Thompſon,
Mr. Cliffr,	Mr. Horton,	Mr. Potter,	Mr. Wendell.
Mr. Coe,	Mr. Hovey,		

For the Negative.

Mr. Adams,	Mr. Clinton,	Mr. Heermance,	Mr. Savage,
Mr. Arcularius,	Mr. Comſtock,	Mr. Hoag,	Mr. P. P. Schuyler,
Mr. Baldwin,	Mr. Cornwell,	Mr. J. Hogeboom,	Mr. Skidmore,
Mr. Bevier,	Mr. De la Montagnie,	Mr. Holt,	Mr. A. Smith,
Mr. Bowen,	Mr. J. A. De Witt,	Mr. M'Cord,	Mr. T. Smith,
Mr. Boyd,	Mr. J. C. De Witt,	Mr. Michean,	Mr. Storm,
Mr. Bruyn,	Mr. Gregory,	Mr. Rice,	Mr. Wheeler,
Mr. Burt,	Mr. Halſey,	Mr. Robins,	Mr. Wood.
Mr. Carman,	Mr. Hatfield,		

Mr. Fairlie further reported, that the committee had gone through the bill without amendment, which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

The Attorney-General, to whom was referred the petitions of James Pine and Nathan Merrit, reported, That all the material allegations contained in the petition of James Pine have not been legally ſubſtantiated; that ſubſequent to the reference of the ſaid petition, the petition of Nathan Merrit in behalf of himſelf and the creditors of Thomas Merrit, has been alſo referred to the Attorney-General. That the ſaid Nathan Merrit *ſubſtantially* denies the material fact as ſtated by the ſaid James Pine, and prays that no law may be paſſed in his favor, at the preſent ſeſſion of the Legiſlature; and alſo prays, that he may have leave to bring in a bill at the next ſeſſion of the Legiſlature, for the purpoſes by him deſignated.

Under theſe circumſtances the Attorney-General is of opinion, that it would be improper, at preſent, to decide on the petition of James Pine, and that it would be proper to permit the ſaid Nathan Merritt to preſent a bill to the Legiſlature at their next ſeſſion, agreeable to the prayer of his petition, on his giving to the ſaid James Pine ſix weeks notice thereof, and at the ſame time ſerving him with a copy of the ſaid bill, to the end, that a full inveſtigation of the reſpective claims of the ſaid petitioners may *then* take place.

All of which is reſpectfully ſubmitted.

JOSIAH OGDEN HOFFMAN.

MARCH 5*th*, 1798.

Ordered, That the conſideration of the ſaid report be poſtponed.

The Attorney-General, to whom was referred the petition of Daniel Babbett, reported, that from the allegations contained in the ſaid petition, the petitioner does not appear to have any juſt claim againſt this State, and that in the opinion of the Attorney-General, the prayer of the petitioner ought not to be granted.

All which is reſpectfully ſubmitted.

JOSIAH OGDEN HOFFMAN.

MARCH 5*th*, 1798.

Reſolved, That this Houſe do agree with the Attorney-General in his ſaid report.

Mr. Bowen, from the committee of the whole Houſe, on the bill entitled "*An act for the relief of Jabez Johnſon and others,*" reported, that after the ſaid bill had been

read in the committee, a motion was made that the ſame be rejected, that debates were had thereon, and the queſtion being put whether the committee did agree thereto, it was carried in the affirmative; which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe. Thereupon,

Reſolved, That the ſaid bill be, and the ſame is hereby rejected.

Mr. Burr from the committee appointed for that purpoſe brought in a bill entitled "*An act relative to the eſtates of lunatics and idiots*," which was read the firſt time and ordered a ſecond reading.

Mr. Brown, from the committee of the whole Houſe on the bill entitled "*An act to incorporate the New-York Inſurance Company*," reported, that the committee had gone through the bill, made amendments, and added a clauſe, which he was directed to report to the Houſe, and he read the report in his place and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

Mr. Benton, from the committee of the whole Houſe on the bill entitled "*An act for the relief of the repreſentatives of Joſeph Crane, deceaſed*," reported progreſs and obtained leave to ſit again.

Then the Houſe adjourned until ten o'clock to-morrow morning.

Tueſday, ten o'clock, A. M. March 6th, 1798.

The engroſſed bill entitled "*An act to incorporate the Stockholders of the New-York Inſurance Company*," was read the third time.

Reſolved, That the bill do paſs.

The engroſſed bill entitled "*An act for the relief of Iſaac Foot*," was read the third time; Mr. Speaker put the queſtion, whether the ſaid bill ſhould paſs, and it was carried in the affirmative in the manner following, viz.

For the Affirmative.

Mr. Adams,	Mr. Coe,	Mr. Horton,	Mr. Reeve,
Mr. Barber,	Mr. Cornwell,	Mr. Hovey,	Mr. Roſs,
Mr. J. Barker,	Mr. Coryell,	Mr. Howard,	Mr. P. I. Schuyler,
Mr. T. Barker,	Mr. Deitz,	Mr. M'Cord,	Mr. J. Smith,
Mr. W. Barker,	Mr. Dewey,	Mr. M'Neal,	Mr. N. Smith,
Mr. Benton,	Mr. Fairlie,	Mr. Metcalfe,	Mr. Jeſſe Thompſon,
Mr. Bowen,	Mr. Hall,	Mr. Miller,	Mr. Iſrael Thompſon,
Mr. Bowman,	Mr. Hoag,	Mr. Ogden,	Mr. Joel Thompſon,
Mr. Brown,	Mr. K. Hogeboom,	Mr. Potter,	Mr. Warner,
Mr. Campbell,	Mr. Holly,	Mr. Prince,	Mr. Wendell. 43
Mr. Clifft,	Mr. Holt,	Mr. Pride,	

For the Negative.

Mr. Arcularius,	Mr. J. A. De Witt,	Mr. Micheau,	Mr. T. Smith,
Mr. Baldwin,	Mr. J. C. De Witt,	Mr. Mitchell,	Mr. Storm,
Mr. Bevier,	Mr. Gregory,	Mr. Pearſall,	Mr. Teed,
Mr. Boyd,	Mr. Halſey,	Mr. Robins,	Mr. Vandervoort,
Mr. Bruyn,	Mr. Hatfield,	Mr. Savage,	Mr. Van Alſtyne,
Mr. Burt,	Mr. Heermance,	Mr. P. P. Schuyler,	Mr. Voſburgh,
Mr. Carman,	Mr. J. Hogeboom,	Mr. Skidmore,	Mr. Wheeler,
Mr. Clinton,	Mr. Hunt,	Mr. A. Smith,	Mr. Wood. 33
Mr. De la Montagnie,			

Thereupon, *Reſolved*, That the bill do paſs.

Ordered, That Mr. Van Alſtyne and Mr. Voſburgh deliver the two laſt mentioned bills to the Hon. the Senate, and requeſt their concurrence.

The bill entitled "*An act in addition to, and to amend an act entitled "An act for ſuppreſſing immorality*," the bill entitled "*An act to eſtabliſh a turnpike corporation for improving the road from the houſe of John Weaver, in Watervliet, to Cherry Valley*," the bill entitled "*An act concerning the eſtates of lunatics and idiots*," and the bill entitled "*An act for the relief of Samuel Bare*," were ſeverally read the ſecond time and committed to a committee of the whole Houſe.

A petition of the Judges and Superviſors of Queen's county, praying that a law may be paſſed for raiſing the ſum of 2001. for the purpoſe of repairing the court-houſe

in ſaid county, was read and referred to the Members attending in this Houſe from the county of Queen's.

A petition of the Mayor, Recorder, Aldermen and Commonalty, of the city of Hudſon, praying that a law may be paſſed authorizing them to appropriate ſuch part of the money raiſed for the ſupport of a night-watch in the ſaid city, as may be deemed expedient, towards defraying the expenſe of lighting public lamps, was read and referred to the Members attending in this Houſe from the county of Columbia.

A petition of Bartholomew J. Van Valkenburgh, relative to a gratuity of bounty lands due to Jacob Van Valkenburgh, deceaſed, was read and referred to Mr. Voſburgh, Mr. Barber and Mr. Carman.

A petition of Edmund Fanning, by Robert Gill, his attorney, relative to a claim to a certain tract of land common called Totten and Croſsfield's Purchaſe, or Jeſſup's Patent, was read and referred to the Attorney-General.

A petition of Catharine Kittle, widow and relict of Andries Kittle, formerly of Kinderhook, relative to the eſtate of her ſaid huſband, which was forfeited to the people of this State by his attainder, was read and referred to the Comptroller to report thereon.

Eight ſeveral remonſtrances from freeholders and inhabitants of the county of Montgomery, againſt annexing part of the ſaid county to the county of Herkemer, were read and referred to Mr. Bowman, Mr. Savage and Mr. Pride.

A report of the Governors of the New-York Hoſpital, together with an abſtract of the accounts of the ſaid Hoſpital, were ſeverally read and are in the words and figures following, viz.

To the Repreſentatives of the people of the State of New-York, in Senate and Aſſembly convened.

The Governors of the New-York Hoſpital reſpectfully report:

That feeling themſelves greatly intereſted in extending the uſefulneſs of the inſtitution under their care, they have endeavoured to exerciſe economy ſo as to prevent, if poſſible, the expenditure exceeding the income allowed by the Legiſlature for its ſupport; but owing to the great increaſe of pauper patients, particularly ſeafaring men and foreigners, added to ſome impoſitions of the ſteward, which the greateſt vigilance could not timely prevent, the expenſe has exceeded their expectations, and the inſtitution is in debt three thouſand four hundred and fourteen dollars and thirty three cents.

The Governors thankfully acknowledge the kind attention of the Legiſlature, in directing the officers of health to pay to the hoſpital, out of monies directed to be received from ſeamen, what might be an overplus after ſupporting the lazaretto; yet they are ſorry to inform, they have been told by the Health-Officers, that there is no money which they can pay to the hoſpital this year.

A great number of poor ſick perſons, from various parts of the State, have partaken of the benefits of this charitable inſtitution in the courſe of the year paſt, many of whom would probably have fallen untimely victims to diſeaſe and poverty, and have, through medical aid and the comfortable aſſiſtance the hoſpital affords, been reſtored to health and to their friends, who, when admitted, appeared to be reduced to the greateſt degree of human wretchedneſs.

The hoſpital and the adjoining premiſes are at preſent conſtantly wanting ſome improvements and repairs, and by this means conſiderable is taken from the monies intended by law for the maintenance of the poor ſick. The Governors would be highly gratified if the Legiſlature would take this circumſtance into their conſideration and apply the neceſſary relief, ſo that the building and the ſurrounding grounds might be put into complete order; this in the end would be true economy, and the only way to ſupport that order and regularity in the internal government of the houſe, ſo eſſentially neceſſary to the welfare of all public inſtitutions.

Annexed is the account of receipts and expenditures for the year paſt, together with a liſt of patients admitted and diſcharged.

All which is reſpectfully ſubmitted.

By order of the Governors.

GERARD WALTON, *Preſident.*

NEW-YORK, *February 6th*, 1798.

ABSTRACT *of the Accounts of the* NEW-YORK HOSPITAL, *being a Summary of the Receipts and Expenditures from the 31ſt day of the firſt month, (January)* 1797, *to the 31ſt day of the firſt month, (January)* 1798.

	Dr.	£	s.	d.
To balance due ſundry perſons from laſt year		1,420	12	3
HOUSEHOLD EXPENSES.				
To poultry, fiſh, lamb, veal and ſundry articles chiefly for the matrons' table - - -	144 10 11½			
Beef 21,381½lb. 536l. 8 3, mutton 1,401lb. 42l. 14 4	579 2 7			
Flour 113bbls. 343l. 10 2, Indian meal 138ct. 2qr. 13lb. 133l. 14 6 - - - -	477 4 8			
Rice 8 tierces 49l. 12 10, molaſſes 602 galls. 183l. 14 6, coffee 10lb. 1l. 3 8 - -	234 11 0			
Chocolate 62lb. 6l. 15 10, tea, Bohea 306lb. 54l. 10 9, Souchong 21½lb. 10l. 9 0 - -	71 15 7			
Sugar, brown 27ct. 0qrs. 7lb. 155l. 17 7, loaf and lump ſugar 9l. 8 6 - - -	165 6 1			
Sweet milk 2,760½qts. 95l. 7 4, butter-milk 1,122qts. 14l. 6 7 - - -	109 13 11			
Butter 1,074l. 86l. 16 0, cheeſe 121lb. 8l. 1 9, ſalt 25 buſhels 7l. 18 9 - - -	102 16 6			
Pepper 1l. 5 3, muſtard 0l. 16 0, vinegar 211galls. 24l. 5 0 - - - -	26 6 3			
Beer 21bbls. 21l. 4 9, cider 6bbls. 8l. 6 0, eſſence of ſpruce 34l. 4 6 - - -	63 15 3			
Potatoes and turnips 434 buſhels 54l. 8 11, vegetables and fruit 29l. 2 0 - - - -	83 10 11			
Garden ſeeds and roots 23l. 13 6, hogs' lard 175lb. 11l. 16 6 - - -	35 10 0			
Candles 266lb. 17l. 2 6, lamp-oil 140 galls. 27l. 7 5 ſoap 58bbls. 76 2 0 - - -	120 11 11			
Starch and Indigo 6l. 2 4, bruſhes, lime and white-waſhing 40l. 7 6 - - -	46 9 10			
Blankets 17 pairs 103l. 17 6, tow-cloth and linen 905 yards 91l. 8 10 - - -	195 6 4			
Earthen-ware 13l. 16 9, wooden-ware 4l. 19 6, tin-ware 10l. 14 6 - - - -	29 10 9			
Knives, forks and ſpoons 16l. 15, ſtationary 8l. mangle 7l. 8 - - - - -	32 3 0			
Grates, fenders, ſhovels and tongs 22l. 10, chairs 20l.	42 10 0			
Baking 85l. ſweeping chimnies 8l. 11, cartage 8l. 4	101 15 0			
Hay 102cwt. 2qrs. 39l. 10, ſtraw 6l. 1 11, oats and bran 192 buſhels, 25l. 15 11 - -	71 7 10			
Grains 9bbls. 2l. 0 6, ſundry ſmall articles 23l. 18 6	25 19 0			
		2,759	17	4½
WINE, SPIRITS, &c.				
To wine 261½ galls. 107l. 11, rum 75½ galls. 31l. 18, ſpirits 55 galls. 33l. - - - -	172 9 0			
Pimento 5 galls. 1l. 12 6, brandy 65 galls. 44l. 9 5, gin 82 galls. 37l. 15 - - -	83 17 0			
Porter 230 galls. and 19½ dozen bottles -	38 5 6			
		294	11	6
MEDICINES, &c.				
To ſundry medicines including ſurgeon's inſtruments	245 5 4			
Barley, ſweet-oil and limes 78l. 10 11, flannel 19l. 15 - - -	98 5 11			
		343	11	3
FIRING.				
To 312 loads of wood 239l. 15 7, coals 79 chaldrons 309l. 7 2 - - - - -		549	2	9
Amount carried forward		£5,367	15	1½

Amount brought forward				5,367	15 1½
LIBRARY.					
To book-caſes 51l. 6 11, books 25l. 18 0				77	4 11
WAGES.					
To ſtewards 16 months 173l. 3 4, matrons 1 year 100l.	273	3	4		
Nurſes, cooks. porter and other ſervants	512	16	0		
				785	19 4
REPAIRS.					
To ironmongery 91l. 11 6, Blackſmith's bill 36l. 13 0	128	4	6		
Carpenter's bill 146l. 4 8, Maſon's bill 162l. 14 10	308	19	6		
Painting and glazing 81l. 3 11, ſundries 54l. 13 1,	135	17	0		
				573	1 0
FUNERALS.					
To 121 burials 96l. 16 0, 44 coffins 20l.				116	16 0
				6,920	16 4½
To caſh paid the Executors of Lawrence Embree for timber, &c.				36	4 3
				£6,957	0 7½

	Cr. £	s.	d.
By caſh received for pay patients - -	684	18	4
Ditto for two cows and a calf ſold - - -	15	0	0
Ditto for fat - - -	1	7	8
Ditto of Gerard Bancker, treaſurer to the State	4,750	0	0
Ditto of C. Miller, harbour maſter, for fines, purſuant to an act of the Legiſlature, paſſed in the year 1796 - - - -	80	0	0
Ditto for 3 years intereſt on a bond of the corporation of the city of New-York - - -	60	0	0
Balance due to the Treaſurer 1,193 3 0			
Ditto due to ſundry perſons as per the ſteward's account 172 11 7½			
	1,365	14	7½
	6,957	0	7½

Abſtract of the number of Patients admitted from the 1ſt day of the firſt month, (January) 1797, to the 31ſt of the firſt month, (January) 1798.

Patients remaining in the hoſpital January 31, 1797 - - -			106
Admitted from 31ſt January, 1797, to 31ſt January, 1798			472
			578
Diſcharged. Cured	296		
Relieved	60		
By deſire	12		
Diſorderly and eloped	41		
Died	57		
			466
Remaining in the hoſpital January 31, 1798			112

Ordered, That the ſaid report and abſtract be committed to a committee of the whole Houſe, when on the bill entitled "*An act relative to the duties ariſing from ſales at auction in the city of New-York.*"

A report of the Superintendant of the Salt-Works, in the county of Onondaga, was read, and is in the words following, viz.

To the Honourable the Legiſlature of the State of New-York.

The Superintendant of the ſalt works, purſuant to law, reſpectfully reports:

That as ſoon as he received official notice of his appointment, he proceeded on the duties of his office; and attended, when neceſſary, with the Surveyor-General, in la

ing the manufacturing allotments. The Surveyor-General having designated the place for the ſtorehouſe to be on the ſoutherly ſide of Salt-ſtreet, where the marſh joins to the upland, and given it as his opinion, that a wharf conſtructed in the manner of a cauſeway, would be requiſite, from thence to Harbor-Baſon, in order to give acceſs to the ſtore, both from the water and land ſide; the Superintendant proceeded to take meaſures for having the ſame conſtructed. The plan of the ſtorehouſe is ſixty feet long, thirty feet wide, and twelve feet poſts, making a ſtory and a half, capable of receiving 2,160 barrels of ſalt. As ſoon as poſſible, he made contracts for the conſtruction of the building; but, the workmen being taken ill, in the ſickly ſeaſon, prevented the frame being completed, agreeable to contract, and it was the latter part of October before it was poſſible to have it raiſed; the ſcarcity of lumber, and the dryneſs of the ſeaſon, made it very difficult to procure thoſe materials, neceſſary for the completing of ſaid ſtorehouſe, until late in the fall, when the rains raiſed the mill-ſtreams, when the Superintendant procured, and tranſported a conſiderable part of the materials for covering ſaid frame, to the landing; but, the cold weather ſetting in ſo early, and cloſing the river with ice, it was impoſſible to tranſport only a ſmall part of the materials by water. The Superintendant having been very ſeverely exerciſed with a long fit of ſickneſs laſt fall, (he was confined from the 9th of September, to the latter part of November) which cauſed unavoidable delays in the execution of the buſineſs entruſted to him; but he has ſince embraced every opportunity the ſnow afforded, in tranſporting the materials to complete ſaid ſalt-ſtore; and has had workmen to work on it whenever the weather admitted of their working, and hopes to have it completed ſoon.

As to the wharf, the timber is all procured, cut, and a conſiderable part of it drawn, and ready to lay down; the reaſon of its not being completed, was owing to ſickneſs, as above ſtated, but will be completed as ſoon as the ſpring opens.

After the Surveyor-General had gone through his ſurvey, and allotments, as far as he thought himſelf juſtified by law, and given leaſes of thoſe premiſes on the ſalt reſervation, ſeveral manufacturers, who had erected works and boiled ſalt, others who had begun to erect works on the north-eaſterly ſhore of the Onondaga Lake, applied to the Superintendant for relief; they being willing to comply with every requiſition of government, if they could be permitted to proceed in their manufacturing of ſalt. A number of other perſons on the public ſalt reſervation, who are neceſſary appendages to the carrying on the manufacturing of ſalt, are, according to law, deemed treſpaſſers, and liable, after the 1ſt day of July laſt, to be reported to the Attorney-General for proſecution.

The Superintendant applied to ſeveral reſpectable characters for their advice, as alſo to the Attorney-General for his, to know in what manner he ſhould conduct himſelf towards thoſe perſons above ſtated, and reſpecting ſome other parts of the law, relative to his duty. It was conceived, under theſe circumſtances, to be the Superintendant's duty to exerciſe that prudent diſcretion in the performance of his duty, that might be for the public intereſt, &c. until the Legiſlature ſhould meet, and make ſuch amendments as they might deem neceſſary.

On the return of the Superintendant from the city of New-York, in Auguſt laſt, he conceived it was his duty to call on the leſſees to ſignify their determination reſpecting building ſalt-ſtores at their reſpective ſalt works, for the ſtorage of ſalt, agreeable to the contemplations of law; and their furniſhing themſelves with brands, to brand their barrels of ſalt, agreeable to the directions of law; to make out an accurate account of all ſalt made on their reſpective manufacturing leaſed premiſes; the number of buſhels of ſalt ſold and delivered from the 20th of June laſt, to the 24th day of Auguſt; and after that, a juſt and true account of all ſalt made, ſold and delivered on their ſaid leaſed premiſes, on every Saturday, to be delivered in writing, at the Superintendant's office.

In anſwer reſpecting furniſhing themſelves with ſalt-ſtores, the leſſees, ſome in writing, others verbally obſerved, that they meant to improve the privilege the law gave them, and would provide ſtores for the ſtorage of their ſalt as ſoon as poſſible.

The Superintendant conceived it his duty, in the interim between the commencement of the leaſes and the completion of the ſtores, to know what ſalt was on hand in the different manufactories, that he might judge of the ſupplies, to anſwer the

general demand for ſalt; and the number of buſhels ſold and delivered, that the public might have a check, to aſcertain in a certain degree, the rents due to the public, according to the conditions of their reſpective leaſes. There is a general compliance, except in a few inſtances, ſome have endeavored to evade complying with the requiſitions made to them, for carrying into effect the law for regulating the manufacturing of ſalt. The Superintendant requeſts directions on the ſubject of collecting the arrearages of rent due to the State from the manufacturers of ſalt. To thoſe manufacturers on the north-eaſterly ſhore of the lake, who had not their ſituations leaſed to them as above ſtated, the Superintendant gave permits to boil ſalt at the ſprings they occupied, until the cloſe of the preſent ſeſſion of the Legiſlature, when it is preſumed further proviſions may be made for promoting the manufacturing of ſalt, they complying with the regulations adopted, and paying the rent on every buſhel of ſalt made at their works, agreeable to the intent of the law.

In the annexed ſtatement, the Hon. the Legiſlature will ſee the proceeds of the manufactories of ſalt, on the public ſalt reſervation, in the county of Onondaga, as near as it was poſſible for the Superintendant to aſcertain: the quantity of ſalt made, ſold and delivered from the 20th day of June, 1797, (the date of the leaſes) to Saturday the 3d day of February inſtant, 1798, being ſix months and fourteen days, (in which period of time is included the ſickly ſeaſon of ſaid place) being manufactured in 157 kettles, of different ſizes, the averaged contents, they hold equal to 1,499 gallons: the ſalt made, ſold and delivered as above ſtated, is 25,474 buſhels; the rent due to the State on ſaid quantity of ſalt, is 1,018 dolls. and 96 cts. and the quantity of ſalt on hand, as near as can be eſtimated, is about 3,000 buſhels. From the above ſtatement, the probable proceeds of all the ktetles now occupied at the different ſalt works, may be eſtimated at nearly 60,000 buſhels of ſalt per year, as repeated applications have been made to the Superintendant, for permiſſion to erect new works, which would naturally increaſe the proceeds, if the Hon. the Legiſlature ſhould in their wiſdom ſee fit to extend the manufactory of ſalt. Notwithſtanding all the precaution the Superintendant could exerciſe, conſiderable quantities of ſalt have been ſmuggled, which was impoſſible for him to have any account of.

From the detached ſituation of ſeveral of the ſalt works, the Superintendant finds it will be almoſt impoſſible, under the exiſting law for the regulation of the ſalt works, to have the buſineſs attended to, agreeable to the ſtrict letter of it, and prevent ſmuggling and evaſions; it would require aſſiſtants to attend conſtantly at almoſt every ſalt works, as the law privileges every manufacturer to build a ſtore for the ſtoring of his ſalt, if he ſees fit. Therefore, in order to obviate theſe difficulties, the Superintendant would beg leave to ſuggeſt to the Hon. the Legiſlature, ſome amendments which appear to him would be an improvement in the law, and prevent many inconveniencies in the execution thereof.

Firſt. The rents to be collected from the capacity of the kettles or pans made uſe of to boil ſalt in, at the different ſalt works, at the rate of cents per month, for every gallon of the capacity of every kettle or pan uſed, or to be uſed in any of the ſalt works on the public ſalt reſervation; and the Superintendant be directed to meaſure the capacity of every kettle or pan, &c. and attend to the admeaſurement as often as he ſhall deem it neceſſary, without any interruption from the manufacturers, or their workmen, under certain penalties.

Secondly. That the leſſees ſhall be accountable for the rents to the Superintendant, on all kettles or pans, &c. that are ſet, or placed to boil ſalt with, on the premiſes, ſo leaſed to them reſpectively, from the people of the State, although any of the leſſees, for their own conveniency, may have rented their ſalt-works, or a part of them, to other perſons.

Thirdly. That every manufacturer ſhall brand every barrel of ſalt with the initial of his chriſtian name, and his ſirname at large, and the number of buſhels of ſalt packed in every barrel, box, or any other wooden package, in legible letter; on penalty of every caſk, or other wooden package as aforeſaid, which ſhall be found going from their reſpective ſalt-works without being branded as above ſpecified, to be forfeited by the owner, and the avails thereof to be appropriated as the Legiſlature ſhall direct.

Fourthly. That every leſſee ſhall, from time to time, whenever occurrences may re-

aire it, give the Superintendant, in writing, the names of the perſon or perſons, the umber of kettles or pans, &c. they leaſe or rent as under tenants on their reſpective remiſes, (as the caſe may be) and ſhall deliver a juſt and true account of every uſhel of ſalt ſold and delivered from their reſpective manufacturing works, once a eek, in writing, ſigned with their reſpective names, on every Saturday, to the uperintendant, or his aſſiſtant, at his office, punctually, ſo that the public may, at l times, be acquainted with the proceeds of the ſalt manufactories. And on the rſt day of each month, (Sundays excepted) to deliver alſo to the Superintendant, his office as aforeſaid, an account of the number of buſhels of ſalt on hand, in eir reſpective works, as nearly as can be eſtimated. Accounts thus rendered, ould, in a great degree, prevent thoſe impoſitions and evaſions, that, in many inances, it is impoſſible for the Superintendant to guard againſt, under the preſent w. And alſo a penalty to be levied on any perſon or perſons, who ſhall be found ilty of committing treſpaſs on the public ſalt reſervation, by cutting fire wood, or y kind of timber on ſaid premiſes, without a ſpecial permiſſion from the Superindant, in writing.

The Superintendant would further ſuggeſt: Firſt. That if the ſwamps in the cinity of the ſalt-works, were to be layed out in ſuitable allotments for meadows, nd leaſed on certain conditions, the land cleared off and ſeeded with graſs-ſeed itable for a moiſt ſoil, and a ditch dug on the line of each lot to abſorb the water, a few years there might be a ſufficiency of hay cut, of a good quality, to ſupply e teams, &c. neceſſary for the ſalt-works and its dependencies, which would be a eat acquiſition to the conveniency and health of the ſituation, by which means the r would alſo become more ſalubrious.

Secondly. That a village be layed out in the vicinity of the Salt Point, (ſo called) regular order, with convenient houſe-lots for building on, for the manufacturers nd thoſe who are neceſſary appendages in carrying on the manufacturing of ſalt, &c. he place affords a handſome ſituation for a village, where there will naturally be a eat deal of buſineſs tranſacted. Therefore, to promote the trade and manufactoes, it would be neceſſary to grant the village and its dependencies ſuch certain prileges, as in the wiſdom of the Hon. Legiſlature, may be eſtabliſhed for the orderly overnment of ſaid place, that the law may be carried into execution with a degree promptitude.

Thirdly. In order to accommodate paſturing, abſolutely neceſſary for the teams ed in carrying on the manufactory of ſalt, &c. and to prevent the great injury done the cattle, to the growth of timber riſing; the Superintendant would recommend the conſideration of the Legiſlature the propriety of allotting a certain proportion the up-land, where the timber is cleared off, in the vicinity of the propoſed village, nd great road leading to the ſalt-works. Thoſe lots for paſturing to be fenced, hich would form a barrier from the road, to preſerve the young growth of timber a great degree.

The Superintendant conceives it his duty from the obſervations he is able to make, om time to time, to communicate to the Hon. Legiſlature, any thing which may be r the public good and utility of the manufacturers, therefore would ſuggeſt to the egiſlature, in order to ſtimulate the manufacturers in a ſpirit of enterpriſe, in the nprovement of the manufactory of ſalt, that a bounty of be given to y perſon, who ſhall make the greateſt quantity of ſalt with the leaſt quantity of el, in the ſhorteſt ſpace of time; which would induce the manufacturers to make nprovements in the conſtruction of their furnaces, and by a ſeries of experiments, ſcover ſome more eligible mode for manufacturing that eſſential article.

The Superintendant would inform the Hon. Legiſlature that he appropriated the lock-houſe, which was built at the expenſe of the State, ſituated at the ſalt-works, r a public ſtore in the beginning of winter, as a depoſit for ſalt, until the other ores ſhould be completed, for which purpoſe he had doors made and locks put on it, nd found it abſolutely neceſſary to depoſit the materials in it, for the public building, prevent them from being ſtolen, the block-houſe being before occupied as a ſtable. he Superintendant has been neceſſitated to tranſact the duties of his office in a private om where he quartered, to the inconveniency of the family, and of himſelf tranſacting the buſineſs entruſted to him; therefore requeſts the upper part

of the block-houſe might be fitted as an office for the Superintendant to tranſact the public buſineſs in, and the lower part as an occaſional ſtore for public purpoſes.

The Superintendant would beg leave further to ſuggeſt to the Hon. Legiſlature, as it is the duty of the Superintendant to be conſtantly at the ſalt-works, the propriety of the public's building a ſmall comfortable dwelling-houſe for the perſon who may have the ſuperintendance of the ſalt-works, to live in.

For the information of the Hon. Legiſlature, the Superintendant has drawn a map from an original ſurvey, ſtating the ſituation of the Salt Springs, the manufacturing lots laid out, and the ſwamps in the vicinity, and alſo the plan of the village as above propoſed.

All which the Superintendant of ſalt-works reſpectfully ſubmits to the conſideration of the Hon. Legiſlature.

WILLIAM STEVENS,

Superintendant of the Salt-Works.

SALT SPRINGS, February 20th, 1798.

A general Statement, of the number of Kettles, and their Averaged contents in Gallons; the Quantity of Salt, made, Sold and Delivered, from the 20th of June, 1797, to the 3d day of February, 1798, inclusive, at the different Manufacturing works, on the Public Reservation, in the County of Onondaga.

Names.	No. of Lots Leased.	Dates. From the	Dates. To the	Kettles. Number.	Kettles. Total Contents in Gallons.	Salt sold and delivered. Bushels of Salt.	Salt sold and delivered. Rent due at 4 cents.	Remarks.
							Dolls. Cts.	
Benjamin Morris and John Pheatt in Co.	2	June 20th	Feb. 3d	10	650	2715	108 60	Leasees.
Ebenezer Hunter,	2	do.	do.	6	390	302	12 08	Rented Philip Reileys Kettles, one of the Leasees.
Philip Reiley,	2	do.	do.			143	5 72	Leasee. [per Ketttle.
Asa Danforth and Co.	3, 4 & 8	do.	do.	62	4689	2991	119 64	Rent out their works at 3 bushels of salt per week,
Cyrus Hunt, Thomas Charlton in Co.	3	Dec. 6th	Dec. 16	x 12		156	6 24	Rent 12 Kettles of A. Danforth & Co. in the large w.
Cyrus Hunt, Thomas Charlton and Robert Routledge in Co.	3	Dec. 16th	Feb. 3d	x 12		1284½	51 38	Rent 12 Kettles of Asa Danforth & Co. in the large works.
Ebenezer Hill,	8	Oct. 15th	Feb. 3d	x 8		1158	46 32	Rents 8 Kettles of do. do. do.
Grove Church,	3	Sept. 27th	Feb. 3d	x 12		1514	60 56	Rents 12 do. do. do. do.
Jesse Church,	3	Nov. 10th	Feb. 3d	x 8		1149½	55 97	Rents 8 do. do. do. do.
Nathan Niles,	4 & 8	June 20th	Feb. 3d	22		1201½	48 06	Rents 22 do. do. do.
William Gillchris,	6	do.	do.	16	1200	2700	108 00	Leasee.
Thomas Orman,	7	do.	do.	12	795	4420¼	176 81	Leasee. [No. 3.
Simon Phares and Co.	4	do.	do.	12	900	2288	91 52	Rent 12 Kettles in Danforth's old works, on lot
Isaac Van Vleek,	9	do.	do.	6	480	1456¾	58 27	Leasee.
Simon Phares and George Corey,		do.	do.	8	590	880	35 20	Occupies works on the N. E. shore of the Lake.
John Danforth and Co.		do.	do.	7	265	364¼	14 57	do. do. do. do.
James Geddis and Co.	20	do.	20th do.	18	540	750	30 00	Leasee.
		Total Amount.		157	1499	25474	1018 96	

NOTE. *In the column of the number of Kettles, those marked x is added in Asa Danforth and Co.* 62 *Kettles.*

ONONDAGA, SALT-SPRINGS, *February 6th*, 1798.

WILLIAM STEVENS, *Superintendant of Salt-Works.*

Ordered, That one hundred and fifty copies of the ſaid report be forthwith printed for the uſe of this Houſe.

A meſſage from the Hon. the Senate, delivered by Mr. Van Vechten and Mr. Watſon, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "*An act to enable the Mayor, Recorder and Aldermen, of the city of New-York, to order the raiſing monies by tax for the maintenance of the poor, and for defraying the other contingent expenſes ariſing in the city and county of New-York,*" without amendment.

Ordered, That Mr. Voſburgh and Mr. Warner deliver the bill to the Hon. the Council of Reviſion.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Van Vechten and Mr. Watſon, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "*An act for dividing certain towns in the county of Onondaga,*" with the amendments therewith delivered.

The bill and amendments were read, and the amendments being read a ſecond time, were concurred in by the Houſe, and the bill amended accordingly.

Ordered, That Mr. Van Alſtyne and Mr. Voſburgh deliver the bill to the Hon. the Senate, and inform them that this Houſe have concurred in their amendments, and have amended the bill accordingly.

A copy of a reſolution of the Hon. the Senate, alſo delivered by Mr. Van Vechten and Mr. Watſon, was read, that the Senate do not concur with this Houſe in their reſolution as entered on the journals of yeſterday, relative to granting leave to Caleb Smith and others to preſent a bill to either houſe of the Legiſlature at their next ſeſſion, authorizing the ſale of a public road in Smithtown in the county of Suffolk.

Ordered, That the committee of the whole Houſe be diſcharged from the further conſideration of the bill entitled "*An act for erecting part of the counties of Herkimer and Tioga into a ſeparate county, and for dividing Herkemer into two counties,*" and that the ſame be committed to a ſelect committee conſiſting of the Members attending in this Houſe from the counties of Herkemer and Tioga.

Mr. De la Montagnie from the committee of the whole Houſe on the bill entitled "*An act to amend the act entitled "An act for ſuppreſſing immorality,*" paſſed the 23d day of February, 1788, reported the proceedings of the committee to have been as follows, viz. That after the ſaid bill had been read in the committee, Mr. Griſwold made a motion, that the committee ſhould agree to a ſubſtitute to the ſaid bill, which was read, and is in the words following, viz.

An act in addition to, and to amend an act entitled "An act for ſuppreſſing immorality."

Be it enacted by the people of the State of New-York repreſented in Senate and Aſſembly, That no tavern-keeper, inn-keeper or retailer of ſtrong or ſpirituous liquors, ſhall ſell or retail the ſame on the firſt day of the week called the Lord's Day, to any perſon or perſons living or reſiding in the ſame city or town where ſuch tavern-keeper, inn-keeper or retailer ſhall ſo reſide or live; and that every perſon offending in the premiſes, and being thereof duly convicted before any Mayor, Recorder or Alderman of the city, or before any Juſtice of the Peace of the county where the ſaid offence ſhall be ſo committed, upon the view of the ſaid Mayor, Recorder, Alderman or Juſtice of the Peace, or upon the confeſſion of the party offending, or upon the oath of one or more credible witneſs or witneſſes, ſhall forfeit and pay for every ſuch offence the ſum of for the uſe of the poor of ſuch city or town where the ſaid offence or offences ſhall have been committed.

And be it further enacted, That if any Mayor, Recorder or Alderman, or any Juſtice of the Peace ſhall neglect or refuſe to diſcharge the duties enjoined on them reſpectively by this act, or by the act hereby amended, and being thereof duly convicted, ſhall be deemed guilty of a miſdemeanor, and indictable for the ſame. Provided nevertheleſs, that if any perſon or perſons ſhall be from time to time on a journey or removing his or their families or effects to the diſtance of twenty miles or upwards, he or they may quietly and peaceably proſecute and continue the ſame without moleſtation, on the firſt day of the week, called the Lord's Day, ſo that ſaid journey or removal be not commenced on ſuch day, any law or ſtatute to the contrary notwithſtanding.

That the queſtion being put whether the committee did agree to the ſubſtitute pro-ſed by the motion of Mr. Griſwold, it was carried in the affirmative in the manner lowing, viz.

For the Affirmative.

Mr. Adams,	Mr. Deitz,	Mr. J. Hogeboom,	Mr. Potter,
Mr. Barber,	Mr. J. A. De Witt,	Mr. K. Hogeboom,	Mr. Reeve,
Mr. T. Barker,	Mr. Dewey,	Mr. Holly,	Mr. Rice,
Mr. Benton,	Mr. Fairlie,	Mr. Holt,	Mr. Roſs,
Mr. Bird,	Mr. Foot,	Mr. Horton,	Mr. P. I. Schuyler,
Mr. Bevier,	Mr. Fort,	Mr. Hovey,	Mr. A. Smith,
Mr. Bowman,	Mr. Griſwold,	Mr. Hunt,	Mr. J. Smith,
Mr. Brown,	Mr. Hall,	Mr. Jenkins,	Mr. N. Smith,
Mr. Burr,	Mr. Halſey,	Mr. Micheau,	Mr. Thomas,
Mr. Clinton,	Mr. Henry,	Mr. Ogden,	Mr. Jeſſe Thompſon,
Mr. Cornwell,	Mr. Hoag,	Mr. Pearſall,	Mr. Joel Thompſon. 45
Mr. Coryell,			

For the Negative.

Mr. Arcularius,	Mr. Clifft,	Mr. Miller,	Mr. Teed,
Mr. Baldwin,	Mr. Coe,	Mr. Moſſet,	Mr. Ten Broeck,
Mr. J. Barker,	Mr. Comſtock,	Mr. Pride,	Mr. Iſrael Thompſon,
Mr. W. Barker,	Mr. J. C. De Witt,	Mr. Robins,	Mr. Vandervoort,
Mr. Bowen,	Mr. Gray,	Mr. Savage,	Mr. Van Alſtyne,
Mr. Boyd,	Mr. Gregory,	Mr. P. P. Schuyler,	Mr. Voſburgh,
Mr. Bruyn,	Mr. Hatfield,	Mr. Skidmore,	Mr. Warner,
Mr. Burling,	Mr. Heermance,	Mr. T. Smith,	Mr. Wendell,
Mr. Burt,	Mr. Howard,	Mr. Snell,	Mr. Weſt,
Mr. Carman,	Mr. M'Cord,	Mr. Storm,	Mr. Wheeler,
Mr. Clark,	Mr. M'Neal,	Mr. Speaker,	Mr. Wood. 44

That in proceeding in the ſaid ſubſtitute, a clauſe thereof was read, and is in the ords following, viz.

"Provided nevertheleſs, that if any perſon or perſons ſhall be from home on a urney, or removing his or their families or effects, to the diſtance of twenty miles upwards, he or they may quietly and peaceably proſecute and continue the ſame, ithout moleſtation, on the firſt day of the week, called the Lord's Day, ſo that ſaid urney or removal be not commenced on ſuch day, any law or ſtatute to the con-ary notwithſtanding."

That Mr. Savage made a motion, that the committee ſhould agree to expunge the ords "*ſhall be from home on a journey, or*" in the ſaid clauſe; that debates were had hereon, and the queſtion being put, whether the committee did agree thereto, it aſſed in the negative in the manner following, viz.

For the Negative.

Mr. Adams,	Mr. Coryell,	Mr. Heermance,	Mr. Pearſall,
Mr. W. Barker,	Mr. Deitz,	Mr. Henry,	Mr. Potter,
Mr. Benton,	Mr. J. A. De Witt,	Mr. Hoag,	Mr. Pride,
Mr. Bird,	Mr. Dewey,	Mr. J. Hogeboom,	Mr. Roſs,
Mr. Bevier,	Mr. Fairlie,	Mr. K. Hogeboom,	Mr. P. I. Schuyler,
Mr. Bowman,	Mr. Fonda,	Mr. Holly,	Mr. A. Smith,
Mr. Brown,	Mr. Foot,	Mr. Horton,	Mr. J. Smith,
Mr. Bruyn,	Mr. Fort,	Mr. Hovey,	Mr. N. Smith,
Mr. Burr,	Mr. Gray,	Mr. Hunt,	Mr. Thomas,
Mr. Burling,	Mr. Gregory,	Mr. Jenkins,	Mr. Jeſſe Thompſon,
Mr. Campbell,	Mr. Griſwold,	Mr. Metcalfe,	Mr. Iſrael Thompſon,
Mr. Clark,	Mr. Hall,	Mr. Micheau,	Mr. Joel Thompſon,
Mr. Clinton,	Mr. Halſey,	Mr. Ogden,	Mr. Wheeler. 54
Mr. Comſtock,	Mr. Hatfield,		

For the Affirmative.

Mr. Arcularius,	Mr. Clifft,	Mr. Reeve,	Mr. Speaker,
Mr. Baldwin,	Mr. Coe,	Mr. Robins,	Mr. Ten Broeck,
Mr. Barber,	Mr. Cornwell,	Mr. Savage,	Mr. Vandervoort,
Mr. J. Barker,	Mr. J. C. De Witt,	Mr. P. P. Schuyler,	Mr. Van Alſtyne,
Mr. T. Barker,	Mr. Howard,	Mr. Skidmore,	Mr. Voſburgh,
Mr. Bowen,	Mr. M'Cord,	Mr. T. Smith,	Mr. Warner,
Mr. Boyd,	Mr. Miller,	Mr. Snell,	Mr. Wendell,
Mr. Burt,	Mr. Moffet,	Mr. Storm,	Mr. Weſt. 33
Mr. Carman,			

That Mr. Storm made a motion, that the committee ſhould agree to add a clauſe, which was read, and is in the words following, viz.

"And be it further enacted, That in all actions commenced, and brought by virtue of this law, or by virtue of the law hereby amended, the ſame fees ſhall be allowed and taken, as are allowed and taken by the act entitled "An act for the more ſpeedy recovery of debts to the value of ten pounds," and no more; and that all charges of the information and conviction of any ſuch offender, ſhall be borne and paid by the party offending, over and above the penalties inflicted by this law and the law hereby amended; which charges ſhall be ſettled and aſcertained by the Mayor, Recorder, Alderman or Juſtice, before whom ſuch conviction ſhall be had, but ſhall, in no caſe, exceed the ſum of dollars; and that all penalties, which ſhall hereafter be adjudged, levied and collected by virtue of this law, or the law hereby amended, ſhall be received by the magiſtrate before whom ſuch conviction and adjudication was had, and ſhall, by him, within thirty days after the receipt thereof, be paid over for the uſe of the poor in the city or town where the ſame was ſo levied and collected. And that no conviction or adjudication, which ſhall hereafter be had by virtue of this law, ſhall be liable to be removed by certiorari into the Supreme Court, but ſhall be deemed, and taken to be final, to all intents and purpoſes whatſoever."

That debates were had thereon, and the queſtion being put, whether the committee did agree thereto, it was carried in the affirmative in the manner following, viz.

For the Affirmative.

Mr. Arcularius,	Mr. Comſtock,	Mr. Metcalfe,	Mr. Snell,
Mr. Baldwin,	Mr. Deitz,	Mr. Micheau,	Mr. Storm,
Mr. J. Barker,	Mr. Foot,	Mr. Miller,	Mr. Speaker,
Mr. T. Barker,	Mr. Fort,	Mr. Moffet,	Mr. Ten Broeck,
Mr. W. Barker,	Mr. Gray,	Mr. Reeve,	Mr. Iſrael Thompſon,
Mr. Bowman,	Mr. Gregory,	Mr. Robins,	Mr. Joel Thompſon,
Mr. Burling,	Mr. Hatfield,	Mr. Roſs,	Mr. Vandervoort,
Mr. Burt,	Mr. Heermance,	Mr. Savage,	Mr. Van Alſtyne,
Mr. Carman,	Mr. J. Hogeboom,	Mr. P. P. Schuyler,	Mr. Vosburgh,
Mr. Clark,	Mr. Holly,	Mr. Skidmore,	Mr. Warner,
Mr. Clifft,	Mr. Howard,	Mr. A. Smith,	Mr. Wendell,
Mr. Clinton,	Mr. M'Cord.	Mr. T. Smith.	Mr. Weſt. 42
Mr. Coe,			

For the Negative.

Mr. Adams,	Mr. Caryell,	Mr. Hosg,	Mr. Potter,
Mr. Barber,	Mr. J. A. De Witt,	Mr. K. Hogeboom,	Mr. P. I. Schuyler,
Mr. Benton,	Mr. Dewey,	Mr. Horton,	Mr. J. Smith,
Mr. Bird,	Mr. Fairlie,	Mr. Hovey,	Mr. N. Smith,
Mr. Bowen,	Mr. Fonda,	Mr. Hunt,	Mr. Teed,
Mr. Brown,	Mr. Griſwold,	Mr. Jenkins,	Mr. Thomas,
Mr. Burr,	Mr. Hall,	Mr. Ogden,	Mr. Jeſſe Thompſon,
Mr. Campbell,	Mr. Halſey,	Mr. Pearſall,	Mr. Wheeler. 34
Mr. Cornwell,	Mr. Henry,		

That the firſt clauſe of the ſaid ſubſtituted bill was again read.

That Mr. Griſwold made a motion, that the words "*ten dollars*" ſhould be inſerted in the blank in the ſaid clauſe.

That Mr. Warner made a motion, that the words "*five dollars*" ſhould be inſerted in the ſaid blank.

That Mr. P. P. Schuyler made a motion, that the words "*four dollars*" ſhould be inſerted in the ſaid blank.

That Mr. Storm made a motion, that the words "*two dollars and fifty cents*" ſhould be inſerted in the ſaid blank.

That Mr. T. Smith made a motion, that the words "*two dollars*" ſhould be inſerted in the ſaid blank.

That Mr. A. Smith made a motion, that the words "*one dollar and fifty cents*" ſhould be inſerted in the ſaid blank.

That the queſtion being put, whether the committee did agree to the motion of Mr. Griſwold, it paſſed in the negative.

That the queſtion being put, whether the committee did agree to the motion of Mr. Warner, it paſſed in the negative in the manner following, viz.

For the Negative.

Mr. Adams,
Mr. J. Barker,
Mr. Benton,
Mr. Bird,
Mr. Bevier,
Mr. Bowman,
Mr. Bruyn,
Mr. Burt,
Mr. Campbell,
Mr. Carman,
Mr. Cornwell,
Mr. Coryell,
Mr. J. A. De Witt,
Mr. Dewey,
Mr. Fairlie,
Mr. Fonda,
Mr. Gray,
Mr. Gregory,
Mr. Halfey,
Mr. Hatfield,
Mr. Heermance,
Mr. Henry,
Mr. Hoag,
Mr. K. Hogeboom,
Mr. Holly,
Mr. Holt,
Mr. Hovey,
Mr. Jenkins,
Mr. M'Cord,
Mr. Micheau,
Mr. Miller,
Mr. Mitchell,
Mr. Ogden,
Mr. Pearfall,
Mr. Potter,
Mr. Prince,
Mr. Pride,
Mr. Reeve,
Mr. Savage,
Mr. Skidmore,
Mr. A. Smith,
Mr. P. Smith,
Mr. J. Smith,
Mr. N. Smith,
Mr. Storm,
Mr. Ten Broeck,
Mr. Thomas,
Mr. Jeſſe Thompſon,
Mr. Iſrael Thompſon,
Mr. Joel Thompſon,
Mr. Vandervoort,
Mr. Voſburgh,
Mr. Weſt. 53

For the Affirmative.

Mr. Arcularius,
Mr. Baldwin,
Mr. T. Barker,
Mr. W. Barker,
Mr. Bowen,
Mr. Boyd,
Mr. Brown,
Mr. Burling,
Mr. Clark,
Mr. Cliff,
Mr. Clinton,
Mr. Coe,
Mr. Comſtock,
Mr. Deitz,
Mr. J. C. De Witt,
Mr. Foot,
Mr. Griſwold,
Mr. Hall,
Mr. J. Hogeboom,
Mr. Howard,
Mr. Hunt,
Mr. M'Neal,
Mr. Mercalfe,
Mr. Moſſet,
Mr. Robins,
Mr. Roſs,
Mr. P. I. Schuyler,
Mr. P. P. Schuyler,
Mr. Snell,
Mr. Speaker,
Mr. Teed,
Mr. Van Alſtyne,
Mr. Warner,
Mr. Wendell,
Mr. Wheeler,
Mr. Wood. 36

That the queſtion being put, whether the committee did agree to the motion of Mr. P. P. Schuyler, it paſſed in the negative.

That the queſtion being put, whether the committee did agree to the motion of Mr. Storm, it was carried in the affirmative in the manner following, viz.

For the Affirmative.

Mr. Arcularius,
Mr. Baldwin,
Mr. Barber,
Mr. T. Barker,
Mr. W. Barker,
Mr. Bowen,
Mr. Bowman,
Mr. Boyd,
Mr. Brown,
Mr. Burr,
Mr. Burling,
Mr. Clark,
Mr. Cliff,
Mr. Clinton,
Mr. Coe,
Mr. Deitz,
Mr. J. C. De Witt,
Mr. Fairlie,
Mr. Fonda,
Mr. Foot,
Mr. Fort,
Mr. Griſwold,
Mr. Hall,
Mr. Heermance,
Mr. J. Hogeboom,
Mr. Howard,
Mr. Jenkins,
Mr. M'Cord,
Mr. Mercalfe,
Mr. Micheau,
Mr. Mitchell,
Mr. Moſſet,
Mr. Prince,
Mr. Robins,
Mr. P. I. Schuyler,
Mr. P. P. Schuyler,
Mr. Skidmore,
Mr. Snell,
Mr. Storm,
Mr. Speaker,
Mr. Teed,
Mr. Ten Broeck,
Mr. Thomas,
Mr. Vandervoort,
Mr. Van Alſtyne,
Mr. Voſburgh,
Mr. Warner,
Mr. Wendell,
Mr. Weſt,
Mr. Wheeler,
Mr. Wood. 51

For the Negative.

Mr. Adams,
Mr. J. Barker,
Mr. Benton,
Mr. Bird,
Mr. Bevier,
Mr. Bruyn,
Mr. Burt,
Mr. Campbell,
Mr. Carman,
Mr. Cornwell,
Mr. Coryell,
Mr. J. A. De Witt,
Mr. Dewey,
Mr. Gray,
Mr. Gregory,
Mr. Halfey,
Mr. Hatfield,
Mr. Henry,
Mr. Hoag,
Mr. K. Hogeboom,
Mr. Holly,
Mr. Hovey,
Mr. Miller,
Mr. Ogden,
Mr. Pearſall,
Mr. Potter,
Mr. Pride,
Mr. Reeve,
Mr. Savage,
Mr. A. Smith,
Mr. T. Smith,
Mr. J. Smith,
Mr. N. Smith,
Mr. Jeſſe Thompſon,
Mr. Iſrael Thompſon,
Mr. Joel Thompſon. 36

Mr. De la Montagnie further reported, that the committee had gone through the bill, made amendments, added clauſes and altered the title; that the altered title is "*An act to amend the act entitled "An for ſuppreſſing immorality,*" paſſed the 23d day of February, 1788; which he was directed to report to the Houſe, and read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

Then the Houſe adjourned until four o'clock this afternoon.

Four o'clock, P. M.

The Houſe met purſuant to adjournment.

Reſolved, That Mr. Mitchell be, and he is hereby, nominated and appointed one of the committee (in the room of Mr. Bird, who is abſent) to manage the conference on the part of this Houſe, on the amendments of the Hon. the Senate to the bill entitled "*An act to amend the act entitled "An act to regulate highways.*"

Ordered, That Mr. Jenkins and Mr. Howard deliver a copy of the preceding reſolution to the Hon. the Senate.

The Hon. the Senate, purſuant to concurrent reſolutions of both Houſes of the Legiſlature, attended in the Aſſembly Chamber to hold a conference on the amendments to the bill entitled "*An act to amend the act entitled "An act to regulate highways,*" which were not concurred in by this Houſe.

The bill and amendments were read.

By the firſt of the ſaid amendments, it is propoſed to reduce the rate of commuting for a day's work from ſeventy-five cents to fifty cents; by the other of the ſaid amendments, it is propoſed to expunge the tenth clauſe of the bill which relates to repealing ſo much of the act as reſpects the alterations of waggons.

Mr. Speaker, with the Houſe, attended the conference accordingly, and the conference being ended, the Senate withdrew.

A motion was made, that the Houſe do adhere to their reſolution of non-concurrence in the amendment of the Hon. the Senate, which relates to reducing the rate of commutation. Mr. Speaker put the queſtion, whether the Houſe did adhere to their ſaid reſolution, and it paſſed in the negative in the manner following, viz.

For the Negative.

Mr. Adams,	Mr. J. C. De Witt,	Mr. Miller,	Mr. Snell,
Mr. J. Barker,	Mr. Fonda,	Mr. Ogden,	Mr. Teed,
Mr. W. Barker,	Mr. Fort,	Mr. Potter,	Mr. Ten Broeck,
Mr. Benton,	Mr. Gray,	Mr. Prince,	Mr. Thomas,
Mr. Bevier,	Mr. Halſey,	Mr. Pride,	Mr. Jeſſe Thompſon,
Mr. Boyd,	Mr. Hatfield,	Mr. Reeve,	Mr. Iſrael Thompſon,
Mr. Brown,	Mr. Heermance,	Mr. Rice,	Mr. Joel Thompſon,
Mr. Bruyn,	Mr. Hoag,	Mr. P. I. Schuyler,	Mr. Van Alſtyne,
Mr. Burt,	Mr. J. Hogeboom,	Mr. A. Smith,	Mr. Voſburgh,
Mr. Clift,	Mr. K. Hogeboom,	Mr. J. Smith,	Mr. Wendell,
Mr. Cornwell,	Mr. Holly,	Mr. N. Smith,	Mr. Wheeler. 45
Mr. J. A. De Witt,			

For the Affirmative.

Mr. Arcularius,	Mr. Comſtock,	Mr. Horton,	Mr. Morſe,
Mr. Baldwin,	Mr. Coryell,	Mr. Hovey,	Mr. Pearſall,
Mr. Barber,	Mr. Deitz,	Mr. Howard,	Mr. Roſe,
Mr. T. Barker,	Mr. De la Montagnie,	Mr. Hunt,	Mr. Savage,
Mr. Bowen,	Mr. Dewey,	Mr. Jenkins,	Mr. P. P. Schuyler,
Mr. Burr,	Mr. Fairlie,	Mr. M'Cord,	Mr. Skidmore,
Mr. Burling,	Mr. Foot,	Mr. M'Neal,	Mr. T. Smith,
Mr. Carman,	Mr. Gregory,	Mr. Metcalfe,	Mr. Vandervoort,
Mr. Clark,	Mr. Griſwold,	Mr. Micheau,	Mr. Weſt,
Mr. Clinton,	Mr. Henry,	Mr. Mitchell,	Mr. Wood. 41
Mr. Coe,	Mr. Holt,	Mr. Moffet,	

A motion was then made, that the Houſe do adhere to their reſolution of non-concurrence in the other amendment, viz. "to expunge the tenth clauſe of the bill." Mr. Speaker put the queſtion, whether the Houſe did adhere to their ſaid reſolution, and it was carried in the affirmative in the manner following, viz.

For the Affirmative.

Mr. Adams,	Mr. Gray,	Mr. Moffet,	Mr. J. Smith,
Mr. Baldwin,	Mr. Gregory,	Mr. Ogden,	Mr. Snell,
Mr. J. Barker,	Mr. Halſey,	Mr. Pearſall,	Mr. Teed,
Mr. W. Barker,	Mr. Hatfield,	Mr. Potter,	Mr. Ten Broeck,
Mr. Benton,	Mr. Heermance,	Mr. Prince,	Mr. Thomas,
Mr. Bevier,	Mr. Hoag,	Mr. Pride,	Mr. Jeſſe Thompſon,
Mr. Carman,	Mr. J. Hogeboom,	Mr. Rice,	Mr. Iſrael Thompſon,
Mr. Clinton,	Mr. K. Hogeboom,	Mr. Savage,	Mr. Van Alſtyne,
Mr. Comſtock,	Mr. Holly,	Mr. P. I. Schuyler,	Mr. Verplank,
Mr. Cornwell,	Mr. Jenkins,	Mr. Skidmore,	Mr. Vosburgh,
Mr. Deitz,	Mr. M'Cord,	Mr. A. Smith,	Mr. Weſt,
Mr. Fairlie,	Mr. Mitchell,	Mr. T. Smith,	Mr. Wheeler. 49
Mr. Fort,			

For the Negative.

Mr. Arcularius,	Mr. Burt,	Mr. Foot,	Mr. Micheau,
Mr. Barber,	Mr. Campbell,	Mr. Griſwold,	Mr. Miller,
Mr. T. Barker,	Mr. Clark,	Mr. Henry,	Mr. Morſe,
Mr. Bowen,	Mr. Clift,	Mr. Holt,	Mr. Reeve,
Mr. Bowman,	Mr. Coe,	Mr. Horton,	Mr. Roſe,
Mr. Boyd,	Mr. Coryell,	Mr. Hovey,	Mr. N. Smith,
Mr. Brown,	Mr. De la Montagnie,	Mr. Howard,	Mr. Joel Thompſon,
Mr. Bruyn,	Mr. J. A. De Witt,	Mr. Hunt,	Mr. Wendell,
Mr. Burr,	Mr. J. C. De Witt,	Mr. M'Neal,	Mr. Wood. 41
Mr. Burling,	Mr. Fonda,	Mr. Metcalfe,	

Thereupon, *Reſolved*, That this Houſe do recede from their reſolution of non-concurrence in the amendment of the Hon. the Senate, which relates to reducing the rate of commutation for a day's labor, and do adhere to their reſolution of non-concurrence in the amendment for expunging the tenth clauſe of the bill.

Ordered, That Mr. Voſburgh and Mr. Warner deliver the bill, amendments and a copy of the preceding reſolution, to the Hon. the Senate.

Then the Houſe adjourned until ten o'clock to-morrow morning.

Wedneſday, ten o'clock, A. M. March 7th, 1798.

The engroſſed bill entitled "*An act to raiſe money for building a Court-Houſe and Gaol in Delaware county, and for other purpoſes therein mentioned,*" was read the third time.

Reſolved, That the bill do paſs.

Ordered, That Mr. Warner and Mr. Wendell deliver the bill to the Hon. the Senate, and requeſt their concurrence.

The bill entitled "*An act for dividing the town of Rocheſter, in the county of Ulſter,*" with the engroſſed amendments, were read the third time.

Reſolved, That the bill do paſs.

Ordered, That Mr. Warner and Mr. Wendell deliver the bill, with the amendments, to the Hon. the Senate, and inform them that this Houſe have paſſed the bill with the amendments therewith delivered.

A motion was made, that the Houſe do reconſider their reſolutions as entered on the journals of yeſterday, relative to the amendments of the Hon. the Senate to the bill entitled "*An act to amend the act entitled "An act to regulate highways.*" Mr. Speaker put the queſtion, whether the Houſe did agree thereto, and it was carried in the affirmative.

A motion was made, that the Houſe do adhere to their reſolution of non-concurrence in the amendments of the Hon. the Senate to the ſaid bill, which reſpects the reducing the commutation for a day's labor. Mr. Speaker put the queſtion, whether the Houſe did agree thereto, and it was carried in the affirmative in the manner following, viz.

For the Affirmative.

Mr. Arcularius,	Mr. Coryell,	Mr. Howard,	Mr. Reeve,
Mr. Baldwin,	Mr. Deitz,	Mr. Hunt,	Mr. Rice,
Mr. Barber,	Mr. De la Montagnie,	Mr. Kane,	Mr. Robins,
Mr. T. Barker,	Mr. Dewey,	Mr. Lee,	Mr. Roſs,
Mr. Bowen,	Mr. Fairlie,	Mr. Maſon,	Mr. Savage,
Mr. Boyd,	Mr. Fonda,	Mr. M'Cord,	Mr. P. P. Schuyler,
Mr. Bruyn,	Mr. Foot,	Mr. M'Neal,	Mr. Skidmore,
Mr. Burr,	Mr. Gregory,	Mr. Metcalfe,	Mr. T. Smith,
Mr. Burling,	Mr. Griſwold,	Mr. Micheau,	Mr. Storm,
Mr. Burt,	Mr. Halſey,	Mr. Miller,	Mr. Vandervoort,
Mr. Campbell,	Mr. Henry,	Mr. Mitchell,	Mr. Warner,
Mr. Clark,	Mr. Hoag,	Mr. Moffet,	Mr. Weſt,
Mr. Clinton,	Mr. Holt,	Mr. Morſe,	Mr. Wheeler,
Mr. Coe,	Mr. Horton,	Mr. Pearſall,	Mr. Williamſon,
Mr. Comſtock,	Mr. Hovey,	Mr. Pride,	Mr. Wood. 60

For the Negative.

Mr. Adams,	Mr. J. A. De Witt,	Mr. Holly,	Mr. Teed,
Mr. J. Barker,	Mr. J. C. De Witt,	Mr. Jenkins,	Mr. Thomas,
Mr. W. Barker,	Mr. Fort,	Mr. Ogden,	Mr. Jeſſe Thompſon,
Mr. Benton,	Mr. Gettman,	Mr. Potter,	Mr. Iſrael Thompſon,
Mr. Bevier,	Mr. Gray,	Mr. Prince,	Mr. Joel Thompſon,
Mr. Bowman,	Mr. Hall,	Mr. P. I. Schuyler,	Mr. Van Alſtyne,
Mr. Brown,	Mr. Hatfield,	Mr. A. Smith,	Mr. Verplank,
Mr. Carman,	Mr. Heermance,	Mr. J. Smith,	Mr. Voſburgh,
Mr. Clifft,	Mr. J. Hogeboom,	Mr. N. Smith,	Mr. Wendell. 39
Mr. Cornwell,	Mr. K. Hogeboom,	Mr. Snell,	

A motion was then made, that the Houſe do recede from their reſolution of non-concurrence in the amendment of the Hon. the Senate to the ſaid bill, for expunging the tenth clauſe thereof. Mr. Speaker put the queſtion, whether the Houſe do recede from their ſaid reſolution, and it was carried in the affirmative in the manner following, viz.

For the Affirmative.

Mr. Arcularius,	Mr. Coryell,	Mr. Hovey,	Mr. Rice,
Mr. Barber,	Mr. De la Montagnie,	Mr. Howard,	Mr. Robins,
Mr. T. Barker,	Mr. J. A. De Witt,	Mr. Hunt,	Mr. Roſs,
Mr. Bowen,	Mr. J. C. De Witt,	Mr. Kane,	Mr. P. P. Schuyler,
Mr. Bowman,	Mr. Dewey,	Mr. Maſon,	Mr. N. Smith,
Mr. Boyd,	Mr. Fairlie,	Mr. M'Cord,	Mr. Snell,
Mr. Brown,	Mr. Fonda,	Mr. M'Neal,	Mr. Storm,
Mr. Bruyn,	Mr. Foot,	Mr. Metcalfe,	Mr. Joel Thompſon,
Mr. Burr,	Mr. Gregory,	Mr. Micheau,	Mr. Vandervoort,
Mr. Burling,	Mr. Griſwold,	Mr. Miller,	Mr. Warner,
Mr. Burt,	Mr. Hall,	Mr. Mitchell,	Mr. Wendell,
Mr. Campbell,	Mr. Halſey,	Mr. Morſe,	Mr. Williamſon,
Mr. Clark,	Mr. Henry,	Mr. Pride,	Mr. Wood.
Mr. Coe,	Mr. Holt,	Mr. Reeve,	

For the Negative.

Mr. Adams,	Mr. Gettman,	Mr. Moſſet,	Mr. Teed,
Mr. Baldwin,	Mr. Gray,	Mr. Ogden,	Mr. Thomas,
Mr. J. Barker,	Mr. Hatfield,	Mr. Pearſall,	Mr. Jeſſe Thompſon,
Mr. W. Barker,	Mr. Heermance,	Mr. Potter,	Mr. Iſrael Thompſon,
Mr. Benton,	Mr. Hoag,	Mr. Prince,	Mr. Van Alſtyne,
Mr. Bevier,	Mr. J. Hogeboom,	Mr. Savage,	Mr. Verplank,
Mr. Carman,	Mr. K. Hogeboom,	Mr. P. I. Schuyler,	Mr. Voſburgh,
Mr. Clifft,	Mr. Holly,	Mr. A. Smith,	Mr. Weſt,
Mr. Clinton,	Mr. Jenkins,	Mr. T. Smith,	Mr. Wheeler.
Mr. Fort,	Mr. Lee,	Mr. J. Smith,	

Thereupon, *Reſolved*, That this Houſe do adhere to their reſolution of non-concurrence in the firſt amendment, and do recede from their reſolution of non-concurrence in the other amendment of the Hon. the Senate to the ſaid bill.

Mr. Benton made a motion, that the Houſe ſhould agree to a reſolution, which was read, and is in the words following, viz.

Reſolved, That the bill entitled "*An act to amend the act entitled "An act to regulate highways,*" be detained in this Houſe until to-morrow.

Mr. Speaker put the queſtion, whether the Houſe did agree to the ſaid reſolution, and it paſſed in the negative in the manner following, viz.

For the Negative.

Mr. Arcularius,	Mr. Coryell,	Mr. Horton,	Mr. Roſs,
Mr. Barber,	Mr. Deitz,	Mr. Hovey,	Mr. P. I. Schuyler,
Mr. T. Barker,	Mr. De la Montagnie,	Mr. Howard,	Mr. P. P. Schuyler,
Mr. Bowen,	Mr. Dewey,	Mr. Hunt,	Mr. Skidmore,
Mr. Boyd,	Mr. Fairlie,	Mr. Kane,	Mr. Snell,
Mr. Brown,	Mr. Fonda,	Mr. M'Neal,	Mr. Storm,
Mr. Bruyn,	Mr. Foot,	Mr. Metcalfe,	Mr. Thomas,
Mr. Burr,	Mr. Gettman,	Mr. Micheau,	Mr. Vandervoort,
Mr. Burling,	Mr. Gray,	Mr. Miller,	Mr. Van Alſtyne,
Mr. Burt,	Mr. Griſwold,	Mr. Mitchell,	Mr. Warner,
Mr. Campbell,	Mr. Hall,	Mr. Pride,	Mr. Wendell,
Mr. Clark,	Mr. Halſey,	Mr. Reeve,	Mr. Wheeler,
Mr. Clinton,	Mr. Hatfield,	Mr. Rice,	Mr. Williamſon,
Mr. Coe,	Mr. Holt,	Mr. Robins,	Mr. Wood.
Mr. Cornwell,			

For the Affirmative.

Mr. Adams,	Mr. J. C. De Witt,	Mr. Lee,	Mr. A. Smith,
Mr. J. Barker,	Mr. Fort,	Mr. Maſon,	Mr. J. Smith,
Mr. W. Barker,	Mr. Heermance,	Mr. M'Cord,	Mr. T. Smith,
Mr. Benton,	Mr. Henry,	Mr. Moſſet,	Mr. Teed,
Mr. Bevier,	Mr. Hoag,	Mr. Ogden,	Mr. Jeſſe Thompſon,
Mr. Bowman,	Mr. J. Hogeboom,	Mr. Pearſall,	Mr. Iſrael Thompſon,
Mr. Carman,	Mr. K. Hogeboom,	Mr. Potter,	Mr. Verplank,
Mr. Clifft,	Mr. Holly,	Mr. Prince,	Mr. Voſburgh,
Mr. J. A. De Witt,	Mr. Jenkins,	Mr. Savage,	Mr. Weſt.

Thereupon, *Ordered*, That Mr. Voſburgh and Mr. Warner deliver the bill, amendments, and a copy of the reſolution, relative to the ſaid amendments, to the Hon. the Senate.

Six ſeveral petitions of freeholders and inhabitants of the towns of Coyeman's, Renſſelaerville and Coxſackie, praying for the erection of a new county from part of

the county of Albany; and four ſeveral petitions of freeholders and inhabitants of the ſaid town of Renſſelearville, remonſtrating againſt the ſame, were ſeverally read and referred to the committee of the whole Houſe, when on the bill entitled "*An act for erecting part of the counties of Albany and Ulſter into a ſeparate county.*"

A petition of Sheldon Wheeler; a petition of Charles Grant and Archibald M'Nite; a petition of Medad Lyman; a petition of Stoddard Criſſey; a petition of Philo Strong and Eraſtus Strong; a petition of Zebulon Warner; a petition of John Little, and a petition of Iſaac Van Arnum, ſeverally praying grants of vacant lands in Clinton county, were read and referred to the committee of the whole Houſe, when on the bill entitled "*An act to amend the act entitled "An act for the further ſale of the unappropriated land of this State.*"

Mr. Howard, purſuant to notice by him for that purpoſe heretofore given, moved for and obtained leave to bring in a bill, entitled "*An act to repeal part of an act entitled "An act for the regulation of inns and taverns,*" paſſed the 1ſt March, 1788, which was read the firſt time and ordered a ſecond reading.

Mr. Griſwold, from the ſelect committee to whom was committed the bill entitled "*An act to divide the counties of Herkemer and Tioga,*" reported, that the committee had gone through the bill and made amendments, which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

Mr. Halſey, from the committee to whom was referred the petition of William Richardſon and others, reported againſt the prayer thereof, which report was agreed to by the Houſe.

Mr. Jenkins, from the committee to whom was referred the petition of the Mayor, Recorder, Aldermen and Commonalty of the city of Hudſon, reported in favor thereof, and obtained leave to bring in a bill entitled "*An act ſupplementary to an act entitled "An act for raiſing monies in the city of Hudſon for the ſupport of a night-watch,*" which was read the firſt time and ordered a ſecond reading.

Mr. Joel Thompſon, from the committee to whom was referred the petition of John Carpenter, reported in favor thereof, and that a clauſe ſhould be added to ſome proper bill for his relief.

Ordered, That the ſaid committee do prepare and bring in ſuch clauſe.

Mr. Dewey, purſuant to notice by him for that purpoſe heretofore given, moved for and obtained leave to bring in a bill entitled "*An act to regulate the fiſhery in Otſego Lake,*" which was read the firſt time and ordered a ſecond reading.

Mr. Burr, from the committee appointed for the purpoſe, reported, that in their opinion, the following ſhould be adopted as part of the rules of the Houſe:

That no motion for reconſideration ſhall be in order unleſs on the ſame day or day following that on which the deciſion propoſed to be reconſidered, took place; a motion for reconſideration having been put and loſt ſhall not be renewed; nor ſhall any ſubject be a ſecond time reconſidered without unanimous conſent.

Mr. Speaker put the queſtion whether the Houſe did agree thereto, and it was carried in the affirmative.

A meſſage from the Hon. the Senate, delivered by Mr. Watſon and Mr. Addiſon, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "*An act to amend the act entitled "An act for the relief of John B. Coles, and to provide for laying out new roads,*" which was read the firſt time and ordered a ſecond reading.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Watſon and Mr. Addiſon, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "*An act for dividing the town of Saratoga, and for other purpoſes,*" with the amendments therewith delivered.

Ordered, That the conſideration of the ſaid amendments be poſtponed.

The Hon. the Senate returned by Mr. Watſon and Mr. Addiſon, the bill entitled "*An act concerning manumiſſions of ſlaves, heretofore made by the people commonly called Quakers, and others,*" and the bill entitled "*An act for dividing certain towns in the county of Onondaga.*"

Ordered, That Mr. Wendell and Mr. Weſt, deliver the two laſt mentioned bills to the Hon. the Council of Reviſion.

Then the Houſe adjourned until four o'clock this afternoon.

Four o'clock, P. M.

The Houſe met purſuant to adjournment.

Reſolved, That Mr. Clinton and Mr. Mitchell be, and they are hereby nominated and appointed two of the committee (in the room of Mr. Metcalfe and Mr. Bird) to manage the conference on the part of this Houſe, on the amendment of this Houſe to the bill entitled "*An act concerning quit rents.*"

The Hon. the Senate, purſuant to concurrent reſolutions of both houſes of the Legiſlature, attended in the Aſſembly chamber, to hold a conference on the amendment of this Houſe to the bill entitled "*An act concerning quit rents,*" which was not concurred in by the Hon. the Senate.

The bill and amendment were read. By the ſaid amendment it is propoſed, that all arrears of quit rents may be paid either in money or in any of the ſtock created under the authority of the United States of America, at the nominal value thereof.

Mr. Speaker with the Houſe attended the conference accordingly, and the conference being ended, the Senate withdrew.

Then the Houſe adjourned until ten o'clock to-morrow morning.

Thurſday, ten o'clock, A. M. March 8th, 1798.

The engroſſed bill entitled "*An act to amend the act entitled "An act for ſuppreſſing immorality,*" paſſed the 23d day of February, 1788, was read the third time.

Mr. Speaker put the queſtion, whether the ſaid bill ſhould paſs, and it was carried in the affirmative in the manner following, viz.

For the Affirmative.

Mr. Arcularius,	Mr. De la Montagnie,	Mr. Holt,	Mr. A. Smith,
Mr. Barber,	Mr. J. A. De Witt,	Mr. Horton,	Mr. J. Smith,
Mr. T. Barker,	Mr. J. C. De Witt,	Mr. Hovey,	Mr. T. Smith,
Mr. W. Barker,	Mr. Dewey,	Mr. Hunt,	Mr. N. Smith,
Mr. Beaton,	Mr. Fairlie,	Mr. Lee,	Mr. Snell,
Mr. Bird,	Mr. Foot,	Mr. Micheau,	Mr. Teed,
Mr. Bevier,	Mr. Fort,	Mr. Moſſet,	Mr. Ten Broeck,
Mr. Bowman,	Mr. Gettman,	Mr. Ogden,	Mr. Jeſſe Thompſon,
Mr. Boyd,	Mr. Griſwold,	Mr. Potter,	Mr. Iſrael Thompſon,
Mr. Brown,	Mr. Hall,	Mr. Pride,	Mr. Joel Thompſon,
Mr. Burr,	Mr. Halſey,	Mr. Reeve,	Mr. Vandervoort,
Mr. Burt,	Mr. Hatfield,	Mr. Rice,	Mr. Van Alſtyne,
Mr. Campbell,	Mr. Henry,	Mr. Robins,	Mr. Verplank,
Mr. Comſtock,	Mr. Hoag,	Mr. Roſa,	Mr. Voſburgh,
Mr. Cornwell,	Mr. J. Hogeboom,	Mr. Savage,	Mr. Warner,
Mr. Coryell,	Mr. K. Hogeboom,	Mr. P. I. Schuyler,	Mr. Wendell,
Mr. Deitz,	Mr. Holly,	Mr. Skidmore,	Mr. Wood. 68

For the Negative.

Mr. Adams,	Mr. Carman,	Mr. Heermance,	Mr. Pearſall,
Mr. J. Barker,	Mr. Clark,	Mr. Howard,	Mr. Storm,
Mr. Bowen,	Mr. Clifft,	Mr. Maſon,	Mr. Weſt,
Mr. Bruyn,	Mr. Coe,	Mr. M'Neal,	Mr. Wheeler. 19
Mr. Burling,	Mr. Fonda,	Mr. Miller,	

Thereupon, *Reſolved*, That the bill do paſs.

Ordered, That Mr. Wendell and Mr. Wheeler deliver the bill to the Hon. the Senate, and requeſt their concurrence.

The bill entitled "*An act to amend the act entitled "An act for the relief of John B. Coles, and to provide for laying out new roads ;*" the bill entitled "*An act ſupplementary to an act entitled "An act for raiſing monies in the city of Hudſon for the ſupport of a night-watch ;*" the bill entitled "*An act to regulate the fiſhery in Otſego Lake,*" and the bill entitled "*An act to repeal part of an act entitled "An act for the regulation of inns and taverns,*" paſſed the 1ſt March, 1788, were ſeverally read the ſecond time, and committed to a committee of the whole Houſe.

Ordered, That the committee of the whole Houſe be diſcharged from the further conſideration of the bill entitled "*An act ſupplementary to an act entitled "An act for raiſing monies in the city of Hudſon for the ſupport of a night-watch,*" and that the ſame

be committed to a ſelect committee, conſiſting of the Members attending in this Houſe from the county of Columbia.

A petition of Daniel A. Wheeler and others, relative to a mill-ſeat in the county of Tioga, was read, and committed to a committee of the whole Houſe, when on the bill entitled "*An act declaring certain ſtreams therein named to be public highways.*"

A petition of Jacob Patrie and others, inhabitants of the town of Freehold, praying a grant of vacant lands, was read and referred to the committee of the whole Houſe, when on the bill entitled "*An act to amend the act entitled "An act for the further ſale of the unappropriated lands of this State.*"

The Comptroller, to whom was referred the petition of Udny Hay, reported, That the petitioner ſets forth in his petition, that in conſequence of an act paſſed the 24th June, 1780, he was appointed an agent of the State, for certain purpoſes therein mentioned. That he twice preſented his accounts for ſettlement, in the manner directed by the ſaid act, to Comfort Sands, Eſq. the then Auditor of the State. That there being no State Auditor for ſome time afterwards, and from ſundry other circumſtances, no farther examination of his accounts took place until March, 1783, when a general ſtatement of them was preſented to a committee of the Houſe of Aſſembly, to whom it was perfectly ſatisfactory, that ſoon after this his houſe was, in his abſence, conſumed by fire, and all his public vouchers with almoſt the whole of his private property deſtroyed thereby; that he, notwithſtanding his unfortunate ſituation, made early and ſundry applications for an examination into his conduct, and a ſettlement of the truſt which had been repoſed in him; that Comfort Sands, William Denning and Henry Remſen, Eſqrs. were appointed commiſſioners to aſſiſt the Auditor in the ſettlement of all the petitioner's accounts; that from a variety of circumſtances, and particularly from a guarded care in thoſe gentlemen, to prevent the State from an improper impoſition, he did not get his accounts ſettled till November, 1788, although he had at great expenſe conſtantly attended to that buſineſs in the city of New-York, near eleven months previous to that time; that he never doubted that thoſe gentlemen were actuated by an ardent deſire to do ſtrict juſtice between the State and him as far as their powers extended; that he amongſt other charges againſt himſelf exhibited to the commiſſioners one of a thouſand pounds new emiſſion retained in his own hands, but all of which was burnt in his Houſe, as he at that time did and formerly declared to be the caſe in a ſtatement made to the Legiſlature; that thoſe commiſſioners while they acknowledged it to be a hard caſe, did not eſteem themſelves empowered to take any notice of the money thus burnt in his houſe, but ſettled the accounts as if no ſuch accident had taken place, adviſing him to make application to the Legiſlature at a diſtant day, when the quantity of new emiſſion uncancelled, might be brought as a ſtrong corroborating proof for or againſt the juſtice of his claim; that he has hitherto, though with great diſtreſs, patiently waited until he ſuppoſed all the money of the new emiſſion in exiſtence, muſt have been brought in. He now, therefore, prays that he may be permitted to preſent in ſuch manner as to the Legiſlature in their wiſdom ſhall ſeem moſt fit, ſuch proofs as he hopes will induce them to order him to be paid for the thouſand pounds thus loſt by fire, with the ſame advantages as by the general laws on that head he would have been undoubtedly entitled to, had the ſum in new emiſſion remained in his poſſeſſion.

The petitioner's accounts were ſettled the 24th of November, 1788, and a balance of 1052l. 18 2 then appeared to be due to him, 400l. of which was paid to him by the Treaſurer the next day, and the reſidue on the 6th of December following. No mention is made in the ſettlement of any bills of new emiſſion having been loſt by the burning of his houſe, but in an affidavit he made on the 19th of November, 1788, he ſays, that "he is well convinced in his own mind that upwards of two thouſand pounds in new emiſſion of this State was burnt in his houſe." And George Trimble, in an affidavit made the 11th of October, 1787, ſays that a few days previous to the burning of the petitioner's houſe in Poughkeepſie, happening to be in his office, he ſaw in his deſk a bundle of the new emiſſion money, which he judged contained nearly a quire, and that he fully believes it was burnt in his houſe. It is to be obſerved that the petitioner's ſalary was to be paid in the bills of the new emiſſion, and that the ſum due to him on that account at the time his houſe was burnt, exceeded the amount of the bills he ſuppoſes he loſt by the fire.

The petitioner was required by law to account once in every ſix months with the Auditor. This it appears by his own ſtatement was not done. His accounts were preſented in April and June, 1781, to Comfort Sands, then Auditor-General, who gives ſome reaſons for not ſettling them; but Peter T. Curtenius was appointed Auditor the 6th of April, 1782, and no reaſon is given why they were not preſented to him before the month of April, 1783, nor why a general ſtatement of them was then preſented to a committee of the Houſe of Aſſembly. It does not appear that the ſtatement was perfectly ſatisfactory to the committee; on the contrary, they ſay in their report of the 15th March, 1783, that the petitioner's accounts appeared to be in an unſettled condition. The loſs of the petitioner's vouchers, by the burning of his houſe, induced the Legiſlature to authorize the Auditor to ſettle and adjuſt his accounts upon the principles of equity and good conſcience, and for want of proper vouchers, to admit ſuch evidence as the committee appointed to adviſe and inſtruct him might think proper; in conſequence of which, large ſums were allowed the petitioner, for which he could not produce vouchers. His account reſpecting the new emiſſion money was ſtated ſeparately, without including any part of his ſalary in it, and it appeared that there was due to the State, on that account, a balance of 1,297l. 4, for which the petitioner was charged only 324l. 6, being at the rate of four dollars of the new emiſſion for one in ſpecie, but if his ſalary had been included in that account, the balance of it would have been 902l. 16 in his favor, which would have reduced the balance due to him on the whole account, about 80l. inſtead of 1,052l. 18 2. The Comptroller is therefore of opinion that it would not be proper to grant the prayer of the petition.

SAMUEL JONES, *Comptroller.*

ALBANY, *March 8th*, 1798.

Ordered, That the conſideration of the ſaid report be poſtponed.

The Houſe proceeded to the conſideration of the amendments of the Hon. the Senate, to the bill entitled "*An act for dividing the town of Saratoga;*" the bill and amendments were read, and the amendments being read a ſecond time, were concurred in by the Houſe, and the bill amended accordingly.

Ordered, That Mr. Wheeler and Mr. Weſt deliver the bill to the Hon. the Senate, and inform them that this Houſe have concurred in their amendments, and have amended the bill accordingly.

Mr. K. Hogeboom, purſuant to notice by him for that purpoſe heretofore given, moved for and obtained leave to bring in a bill, entitled "*An act to amend an act entitled "An act for regulating elections,*" which was read the firſt time and ordered a ſecond reading.

Mr. Burling, purſuant to notice by him for that purpoſe heretofore given, moved for and obtained leave to bring in a bill, entitled "*An act to repeal an act entitled "An act concerning the recovery of debts and demands to the value of ten pounds, in the city of New-York,*" paſſed 16th February, 1797, and to revive the 20th ſection of the act entitled "*An act for the more ſpeedy recovery of debts to the value of ten pounds,*" which was read the firſt time and ordered a ſecond reading.

A meſſage from the Hon. the Senate, delivered by Mr. Addiſon and Mr. Bronk, with the bill therein mentioned, was read, that the Senate do recede from their reſolution of non-concurrence, and do concur in the ſecond clauſe of the bill entitled "*An act to amend the act entitled "An act to regulate highways.*"

Ordered, That Mr. Weſt and Mr. Wheeler deliver the bill to the Hon. the Senate, and inform them that the ſame is amended purſuant to the amendments of the Hon. the Senate, concurred in by this Houſe.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Addiſon and Mr. Bronk, with the bill therein mentioned, was read, that the Senate do adhere to their reſolution of non-concurrence in the amendment of this Houſe to the bill entitled "*An act concerning quit rents.*"

Ordered, That the conſideration thereof be poſtponed.

Mr. De la Montagnie, from the committee of the whole Houſe, on the bill entitled "*An act for dividing the town of Canajoharie,*" reported progreſs. Thereupon,

Ordered, That the committee of the whole Houſe be diſcharged from the further

consideration of the said bill, and that the same be referred to Mr. Miller, Mr. Skidmore, Mr. Reeve, Mr. Howard and Mr. Cornwell.

Ordered, That the committee of the whole House be discharged from the further consideration of the bill entitled "*An act to provide against infectious and pestilential diseases*," and that the same be committed to a select committee, consisting of Mr. Mitchell, Mr. Robins, Mr. Storm, Mr. Wendell, Mr. T. Barker, Mr. Joel Thompson and Mr. West.

Mr. Brown, from the committee of the whole House, on the bill entitled "*An act supplementary to the act entitled "An act to reduce the laws concerning costs into one statute*," reported, that in proceeding in the said bill, a clause which had been agreed to was again read, and is in the words following, viz.

"And be it further enacted, That actions for assault and battery are hereby made cognizable before a court of two or more justices of the peace in all causes where the plaintiff or complainant shall not lay his damages over the sum of twenty-five dollars."

That Mr. Burr made a motion, that the committee should agree to a substitute for the said clause in the words following, viz.

"And be it further enacted, That actions for assault and battery in which the damages are laid at twenty-five dollars or under, may be heard and determined in such manner as other suits for debts and demands under ten pounds, are or may be cognizable."

That debates were had thereon, and the question being put, whether the committee did agree to the said clause as a substitute, it was carried in the affirmative in the manner following, viz.

For the Affirmative.

Mr. Arcularius,	Mr. Comstock,	Mr. Howard,	Mr. Savage,
Mr. Barber,	Mr. Cornwell,	Mr. Hunt,	Mr. P. P. Schuyler,
Mr. J. Barker,	Mr. Coryell,	Mr. Jenkins,	Mr. Skidmore,
Mr. T. Barker,	Mr. Deitz,	Mr. Kane,	Mr. A. Smith,
Mr. Benton,	Mr. J. C. De Witt,	Mr. M'Cord,	Mr. T. Smith,
Mr. Bevier,	Mr. Foot,	Mr. M'Farlan,	Mr. J. Smith,
Mr. Bowen,	Mr. Fort,	Mr. Miller,	Mr. Teed,
Mr. Boyd,	Mr. Gregory,	Mr. Moffet,	Mr. Israel Thomson,
Mr. Burr,	Mr. Hall,	Mr. Morse,	Mr. Joel Thompson,
Mr. Burling,	Mr. Halfey,	Mr. Pearsall,	Mr. Van Alstyne,
Mr. Burt,	Mr. Hatfield,	Mr. Potter,	Mr. Vosburgh,
Mr. Campbell,	Mr. J. Hogeboom,	Mr. Prince,	Mr. Warner,
Mr. Clark,	Mr. K. Hogeboom,	Mr. Pride,	Mr. Wheeler,
Mr. Cliff,	Mr. Holly,	Mr. Reeve,	Mr. Wood. 59
Mr. Coe,	Mr. Hovey,	Mr. Rice,	

For the Negative.

Mr. Adams,	Mr. Dewey,	Mr. Lee,	Mr. Storm,
Mr. W. Barker,	Mr. Fonda,	Mr. Mason,	Mr. Speaker,
Mr. Bird,	Mr. Griswold,	Mr. M'Neal,	Mr. Ten Broeck,
Mr. Bowman,	Mr. Heermance,	Mr. Metcalfe,	Mr. Jesse Thompson,
Mr. Bruyn,	Mr. Henry,	Mr. Micheau,	Mr. Verplank,
Mr. Clinton,	Mr. Hoag,	Mr. Mitchell,	Mr. Wendell,
Mr. De la Montagnie,	Mr. Holt,	Mr. Ogden,	Mr. West. 31
Mr. J. A. De Witt,	Mr. Horton,	Mr. Snell,	

That a clause which had been agreed to was again read, and is in the words following, viz.

"Provided nevertheless, that whenever the plaintiff shall not recover more than dollars, he shall not be entitled to recover costs."

That a motion was made, that the blank in the said clause should be filled with the word "*two*."

That the question being put, whether the committee did agree thereto, it was carried in the affirmative in the manner following, viz.

For the Affirmative.

Mr. T. Barker,	Mr. J. C. De Witt,	Mr. Howard,	Mr. Skidmore,
Mr. Benton,	Mr. Fonda,	Mr. Hunt,	Mr. T. Smith,
Mr. Bird,	Mr. Foot,	Mr. Jenkins,	Mr. Storm,
Mr. Bowen,	Mr. Fort,	Mr. Mason,	Mr. Ten Broeck,
Mr. Bowman,	Mr. Gregory,	Mr. M'Neal,	Mr. Jesse Thompson,
Mr. Burr,	Mr. Hall,	Mr. Mitchell,	Mr. Vandervoort,
Mr. Burling,	Mr. Hatfield,	Mr. Moffet,	Mr. Van Alstyne,
Mr. Burt,	Mr. Henry,	Mr. Morse,	Mr. Verplank,
Mr. Clifft,	Mr. Hoag,	Mr. Ogden,	Mr. Vosburgh,
Mr. Clinton,	Mr. J. Hogeboom,	Mr. Potter,	Mr. Wendell,
Mr. Coe,	Mr. Holt,	Mr. Prince,	Mr. West,
Mr. Coryell,	Mr. Horton,	Mr. Robins,	Mr. Wheeler,
Mr. De la Montagnie,	Mr. Hovey,	Mr. P. P. Schuyler,	Mr. Wood. 33
Mr. J. A. De Witt,			

For the Negative.

Mr. Adams,	Mr. Deitz,	Mr. Metcalfe,	Mr. J. Smith,
Mr. Arcularius,	Mr. Griſwold,	Mr. Michaels,	Mr. N. Smith,
Mr. Barber,	Mr. Halſey,	Mr. Miller,	Mr. Snell,
Mr. J. Barker,	Mr. Heermance,	Mr. Pearſall,	Mr. Speaker,
Mr. W. Barker,	Mr. K. Hogeboom,	Mr. Pride,	Mr. Teed,
Mr. Bevier,	Mr. Holly,	Mr. Rice,	Mr. Iſrael Thompſon,
Mr. Campbell,	Mr. Lee,	Mr. Savage,	Mr. Joel Thompſon,
Mr. Clark,	Mr. M'Cord,	Mr. A. Smith,	Mr. Warner. 33
Mr. Comſtock,			

Mr. Brown further reported, that the committee had gone through the bill, made amendments, and altered the title; that the altered title is "*An act relative to actions brought for aſſault and battery and ſlander,*" which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

Mr. Benton, from the committee of the whole Houſe, on the bill entitled "*An act making alterations in the act entitled "An act for defraying the public and neceſſary charges in the reſpective counties in this State,*" reported, that after the ſaid bill had been read in the committee, Mr. Griſwold made a motion, that the ſame ſhould be rejected. That debates were had thereon, and the queſtion being put, whether the committee did agree thereto, it was carried in the affirmative; which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe. Thereupon,

Reſolved, That the ſaid bill be, and the ſame is hereby rejected.

Mr. Clinton, from the committee of the whole Houſe, on the bill entitled "*An act concerning Conſtables and Collectors,*" reported, that the committee had gone through the ſaid bill and made amendments, which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

Mr. Jenkins, from the ſelect committee to whom was committed the bill entitled "*An act ſupplementary to the act entitled "An act to raiſe monies in the city of Hudſon for the ſupport of a night-watch,*" reported, that the committee had gone through the bill without amendment, which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

Then the Houſe adjourned until ten o'clock to-morrow morning.

Friday, ten o'clock, A. M. March 9th, 1798.

The engroſſed bill entitled "*An act concerning conſtables and collectors,*" was read the third time, and recommitted to a committee of the whole Houſe.

The engroſſed bill entitled "*An act relative to actions brought for aſſault and battery and ſlander,*" was read the third time. Mr. Speaker put the queſtion whether the ſaid bill ſhould paſs, and it was carried in the affirmative in the manner following, viz.

For the Affirmative.

Mr. Adams,	Mr. Clinton,	Mr. Holly,	Mr. Robins,
Mr. Arcularius,	Mr. Coe,	Mr. Hovey,	Mr. P. P. Schuyler,
Mr. Barber,	Mr. Comſtock,	Mr. Howard,	Mr. Skidmore,
Mr. J. Barker,	Mr. Cornwell,	Mr. Hunt,	Mr. T. Smith,
Mr. T. Barker,	Mr. Coryell,	Mr. Jenkins,	Mr. J. Smith,
Mr. W. Barker,	Mr. Deitz,	Mr. M'Cord,	Mr. N. Smith,
Mr. Benton,	Mr. De la Montagnie,	Mr. M'Neal,	Mr. Storm,
Mr. Boyd,	Mr. J. C. De Witt,	Mr. Miller,	Mr. Iſrael Thompſon,
Mr. Burr,	Mr. Foot,	Mr. Mitchell,	Mr. Joel Thompſon,
Mr. Burling,	Mr. Fort,	Mr. Moffet,	Mr. Vandervoort,
Mr. Burt,	Mr. Gregory,	Mr. Morſe,	Mr. Van Alſtyne,
Mr. Campbell,	Mr. Hall,	Mr. Pearſall,	Mr. Voſburgh,
Mr. Carman,	Mr. Halſey,	Mr. Potter,	Mr. Warner,
Mr. Clark,	Mr. Hatfield,	Mr. Reeve,	Mr. Wood. 29
Mr. Clifft,	Mr. K. Hogeboom,	Mr. Rice,	

For the Negative.

Mr. Bird,	Mr. Gettman,	Mr. Lee,	Mr. Snell,
Mr. Bevier,	Mr. Griſwold,	Mr. Maſon,	Mr. Teed,
Mr. Bowen,	Mr. Heermance,	Mr. Metcalfe,	Mr. Ten Broeck,
Mr. Bowman,	Mr. Henry,	Mr. Micheau,	Mr. Jeſſe Thompſon,
Mr. Brown,	Mr. Hoag,	Mr. Ogden,	Mr. Verplank,
Mr. J. A. De Witt,	Mr. J. Hogeboom,	Mr. Pride,	Mr. Wendell,
Mr. Dewey,	Mr. Holt,	Mr. Savage,	Mr. Weſt,
Mr. Fairlie,	Mr. Horton,	Mr. P. I. Schuyler,	Mr. Wheeler. 35
Mr. Fonda,	Mr. Kane,	Mr. A. Smith,	

Thereupon, *Reſolved*, That the bill do paſs.

The engroſſed bill entitled "*An act ſupplementary to the act entitled "An act for raiſing monies in the city of Hudſon for the ſupport of a night-watch,*" was read the third time.

Reſolved, That the bill do paſs.

The engroſſed bill entitled "*An act to divide the counties of Herkemer and Tioga,*" was read the third time.

Reſolved, That the bill do paſs.

Ordered, That Mr. Weſt and Mr. Wheeler deliver the three laſt mentioned bills to the Hon. the Senate and requeſt their concurrence.

The bill entitled "*An act to repeal the act entitled "An act concerning the recovery of debts and demands to the value of ten pounds, in the city of New-York, paſſed the 16th February, 1797, and to revive the 20th ſection of the act entitled "An act for the more ſpeedy recovery of debts to the value of ten pounds,*" and the bill entitled "*An act to amend an act entitled "An act for regulating elections,*" were ſeverally read the ſecond time and committed to a committee of the whole Houſe.

A petition of William Cogſwell, praying a loan of money on mortgage, was read, and referred to Mr. Bird, Mr. Maſon and Mr. Hunt.

A petition of Joſeph Victor Balma and others, a petition of John Kitchen, a petition of Stephen William Vincendon Dutour, and a petition of James Adair, aliens, ſeverally praying to be enabled by law to purchaſe and hold real eſtates within this State, were read, and referred to the committee of the whole Houſe, when on the bill entitled "*An act to enable certain perſons therein named to purchaſe and hold real eſtates within this State.*"

Mr. Miller from the ſelect committee to whom was committed the bill entitled "*An act for dividing the town of Canajoharie,*" reported, that the committee had gone through the bill without amendment, which he was directed to report to the Houſe, and he read the report in his place and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

Mr. M'Neal, from the committee to whom was referred the petition of Mansfield and Goodall, and the petition of Stephen Aſhley and others, reported, that in the opinion of the committee the ſaid petitions ſhould be committed to the committee of the whole Houſe when on the bill entitled "*An act to amend the act entitled "An act for the further ſale of the unappropriated lands of this State,*" which report was agreed to by the Houſe. Thereupon,

Ordered, That the ſaid petitions be committed to the committee of the whole Houſe when on the ſaid bill.

Mr. Voſburgh, from the committee to whom was referred the petition of Bartholomew I. Van Valkenburgh, reported in favor of the petitioner, and obtained leave to bring in a clauſe to be added to the bill entitled "*An act for the relief of William Cockburn.*"

Mr. Bird, purſuant to notice by him for that purpoſe heretofore given, moved for and obtained leave to bring in a bill entitled "*An act regulating the liberties of gaols,*" which was read the firſt time and ordered a ſecond reading.

Mr. Wood from the ſelect committee to whom was committed the bill entitled "*An act relative to the courts of Common Pleas and General Seſſions of the Peace in ſeveral counties in the Southern Diſtrict of this State,*" reported, that the committee had gone through the bill without amendment, which he was directed to report to the Houſe, and he read the report in his place and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

Mr. Wood, from the committee to whom was referred the petition of Alexander Robertſon and others, reported againſt the prayer thereof. Thereupon,

Ordered, That the ſaid petition and report be committed to the committee of the whole Houſe when on the bill entitled "*An act relative to the duty ariſing from ſales at auction in the city of New-York.*"

Ordered, That the committee of the whole Houſe be diſcharged from the further conſideration of the bill entitled "*An act for erecting part of the counties of Ulſter and Orange into a ſeparate county,*" and that the ſame be committed to a ſelect committee conſiſting of Mr. Williamſon, Mr. Wendell, Mr. Clinton, Mr. Moffet and Mr. Maſon.

A meſſage from the Hon. the Senate, delivered by Mr. Bronk and Mr. Arndt, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "*An act for the appointment of a Treaſurer,*" with the amendments therewith delivered. The bill and amendments were read; one of the ſaid amendments was to increaſe the compenſation to the Treaſurer from 1250 dollars, to 1500 dollars. Mr. Speaker put the queſtion whether the Houſe did concur with the Hon. the Senate in their ſaid amendment, and it was carried in the affirmative in the manner following, viz.

For the Affirmative.

Mr. Adams,	Mr. De la Montagnie,	Mr. Lee,	Mr. Skidmore,
Mr. Barber,	Mr. J. C. De Witt,	Mr. M'Cord,	Mr. N. Smith,
Mr. T. Barker,	Mr. Dewey,	Mr. M'Neal,	Mr. Storm,
Mr. J. Barker,	Mr. Fairlie,	Mr. Metcalfe,	Mr. Ten Broeck,
Mr. Benton,	Mr. Foot,	Mr. Moffet,	Mr. Jeſſe Thompſon,
Mr. Bowen,	Mr. Griſwold,	Mr. Morſe,	Mr. Joel Thompſon,
Mr. Bowman,	Mr. Hall,	Mr. Ogden,	Mr. Verplank,
Mr. Boyd,	Mr. Heermance,	Mr. Prince,	Mr. Warner,
Mr. Brown,	Mr. Henry,	Mr. Pride,	Mr. Wendell,
Mr. Burr,	Mr. Hoag,	Mr. Rice,	Mr. Weſt,
Mr. Burling,	Mr. Holt,	Mr. Robins,	Mr. Wheeler,
Mr. Clinton,	Mr. Horton,	Mr. Savage,	Mr. Williamſon,
Mr. Coryell,	Mr. Hovey,	Mr. P. I. Schuyler,	Mr. Wood. 33
Mr. Deitz,	Mr. Kane,	Mr. P. P. Schuyler,	

For the Negative.

Mr. Arcularius,	Mr. Comſtock,	Mr. Holly,	Mr. A. Smith,
Mr. W. Barker,	Mr. Cornwell,	Mr. Hunt,	Mr. T. Smith,
Mr. Bird,	Mr. J. A. De Witt,	Mr. Jenkins,	Mr. J. Smith,
Mr. Bevier,	Mr. Fort,	Mr. Maſon,	Mr. Snell,
Mr. Bruyn,	Mr. Gettman,	Mr. Micheau,	Mr. Teed,
Mr. Burt,	Mr. Gregory,	Mr. Miller,	Mr. Iſrael Thompſon,
Mr. Carman,	Mr. Halſey,	Mr. Mitchell,	Mr. Vandervoort,
Mr. Clark,	Mr. Hatfield,	Mr. Pearſall,	Mr. Van Alſtyne,
Mr. Clifft,	Mr. J. Hogeboom,	Mr. Potter,	Mr. Voſburgh. 39
Mr. Coe,	Mr. K. Hogeboom,	Mr. Reeve,	

And the other amendments being read a ſecond time were concurred in by the Houſe, and the bill amended accordingly.

Ordered, That Mr. Wheeler and Mr. Williamſon deliver the bill to the Hon. the Senate, and inform them that this Houſe have concurred in their amendments, and have amended the bill accordingly.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Bronk and Mr. Arndt, with the bill therein mentioned, was read, that the Senate have concurred in the amendments of this Houſe to the bill entitled "*An act for dividing the town of Rocheſter in the county of Ulſter,*" and have amended the ſame accordingly.

Ordered, That Mr. Wheeler and Mr. Williamſon return the bill to the Hon. the Senate.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Bronk and Mr. Arndt, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "*An act to amend the act entitled "An act making proviſion to keep in repair the bridge over the Mohawk river below the Cohoes Falls.*" The ſaid bill was read the firſt time and ordered a ſecond reading.

A meſſage from the Hon. the Council of Reviſion, delivered by the Hon. Mr. Juſtice Benſon, was read, that it does not appear improper to the Council that the bill entitled "*An act concerning manumiſſions of ſlaves heretofore made by the people commonly called Quakers, and others,*" the bill entitled "*An act for dividing certain towns in the county of Onondaga,*" the bill entitled "*An act to empower the Governor to provide for*

the entertainment of Indians visiting the seat of government of this State on buſineſs," and the bill entitled *"An act to amend the act entitled "An act for laying out part of lot No. 1, in the town of Hannibal, in the county of Onondaga, into lots, and for other purpoſes therein mentioned,"* ſhould ſeverally become laws of this State.

Mr. Clinton, from the committee of the whole Houſe on the bill entitled *"An act repealing an act entitled "An act for granting and ſecuring to John Fitch the ſole right and advantage of making and employing the ſteam-boat by him lately invented, and for other purpoſes,"* reported, that the committee had gone through the bill, made amendments and filled up the blanks, which he was directed to report to the Houſe, and he read the report in his place and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

Mr. Jenkins from the committee of the whole Houſe on the bill entitled *"An act to prevent the odious and pernicious practice of uſury,"* reported, that after the ſaid bill had been read in the committee, Mr. Brown made a motion that the ſame ſhould be rejected, that debates were had thereon, and the queſtion being put whether the committee did agree thereto, it paſſed in the negative in the manner following, viz.

For the Negative.

Mr. Arcularius,	Mr. J. A. De Witt,	Mr. M'Neal,	Mr. N. Smith,
Mr. T. Barker,	Mr. J. C. De Witt,	Mr. Metcalfe,	Mr. Snell,
Mr. W. Barker,	Mr. Fonda,	Mr. Micheau,	Mr. Storm,
Mr. Bowen,	Mr. Foot,	Mr. Moffet,	Mr. Teed,
Mr. Boyd,	Mr. Gettman,	Mr. Morſe,	Mr. Ten Broeck,
Mr. Bruyn,	Mr. Gregory,	Mr. Potter,	Mr. Jeſſe Thompſon,
Mr. Burr,	Mr. Hall,	Mr. Pride,	Mr. Iſrael Thompſon,
Mr. Burling,	Mr. Henry,	Mr. Rice,	Mr. Joel Thompſon,
Mr. Carman,	Mr. Hoag,	Mr. Savage,	Mr. Voſburgh,
Mr. Clark,	Mr. Holly,	Mr. P. P. Schuyler,	Mr. Warner,
Mr. Clifft,	Mr. Horton,	Mr. Skidmore,	Mr. Wendell,
Mr. Comſtock,	Mr. Hovey,	Mr. A. Smith,	Mr. Weſt,
Mr. Coryell,	Mr. Lee,	Mr. T. Smith,	Mr. Wheeler. 54
Mr. Deitz,	Mr. M'Cord,		

For the Affirmative.

Mr. Adams,	Mr. Clinton,	Mr. Heermance,	Mr. Prince,
Mr. Barber,	Mr. Coe,	Mr. J. Hogeboom,	Mr. Reeve,
Mr. Benton,	Mr. De la Montagnie,	Mr. K. Hogeboom,	Mr. P. I. Schuyler,
Mr. Bird,	Mr. Dewey,	Mr. Holt,	Mr. J. Smith,
Mr. Bevier,	Mr. Fairlie,	Mr. Hunt,	Mr. Speaker,
Mr. Bowman,	Mr. Fort,	Mr. Kane,	Mr. Thomas,
Mr. Brown,	Mr. Griſwold,	Mr. Miller,	Mr. Van Alſtyne,
Mr. Burt,	Mr. Halſey,	Mr. Mitchell,	Mr. Verplank,
Mr. Campbell,	Mr. Hatfield,	Mr. Ogden,	Mr. Wood. 36

Mr. Jenkins reported further progreſs and obtained leave to ſit again.

Mr. Griſwold, from the committee of the whole Houſe on the bill entitled *"An act to authorize the arreſt of ſhips and veſſels for debts contracted by the maſter, owner or conſignee for or on account of ſuch ſhips and veſſels in the port of New-York,"* reported progreſs. Thereupon,

Ordered, That the committee of the whole Houſe be diſcharged from the further conſideration of the ſaid bill, and that the ſame be committed to a ſelect committee conſiſting of Mr. Burr, Mr. Jenkins and Mr. Cornwell.

Then the Houſe adjourned until ten o'clock to-morrow morning.

Saturday, ten o'clock, A. M. March 10th, 1798.

The engroſſed bill entitled *"An act repealing an act entitled "An act for granting and ſecuring to John Fitch the ſole right and advantage of making and employing the ſteam-boat, by him lately invented, and for other purpoſes,"* was read the third time.

Reſolved, That the bill do paſs.

The engroſſed bill entitled *"An act to divide the town of Canajoharie into two towns,"* was read the third time.

Reſolved, That the bill do paſs.

The engroſſed bill entitled *"An act altering the terms of certain Courts of Common Pleas and General Seſſions of the Peace, in the Southern Diſtrict,"* was read the third time.

Reſolved, That the bill do paſs.

Ordered, That Mr. Wheeler and Mr. Williamſon deliver the three laſt mentioned bills to the Hon. the Senate, and requeſt their concurrence.

The bill entitled "*An act regulating the liberties of gaols,*" and the bill entitled "*An act to amend the act entitled "An act making provisions to keep in repair the bridge over the Mohawk river, below the Cohoes Falls,*" were severally read the second time and committed to a committee of the whole House.

A petition of the Minister, Elders and Deacons, of the Reformed Protestant Dutch Congregations, in the towns of Middleburgh and Schoharie, in the county of Schoharie, praying that a law may be passed to enable them to make partition or division of a certain tract of land held between the said congregations in common, was read and referred to Mr. Rice, Mr. Van Alstyne and Mr. P. P. Schuyler.

A petition of Maria Vrooman, widow of Peter Deitz, who was wounded while in service, in the course of the late war, and of which wound he died, praying similar relief as has been granted to others in such cases, was read and referred to Mr. Hatfield, Mr. Burr and Mr. Snell.

A petition of James Rynders, praying a grant of bounty lands for his services as a private soldier in the first New-York regiment during the late war, was read and referred to Mr. Bird, Mr. Fonda and Mr. Bevier.

The Attorney-General, to whom was referred the petition of Clement Saidler, with the report of the Surveyor-General thereon, reported, That the petitioner appears to be seized in fee of lot number nineteen, in the twelfth allotment of the patent of Kayaderosseras, under a conveyance bearing date the 18th day of November 1787, from the commissioners of forfeitures of the Western District of this State, executed to Robert M'Williams, and which lot was sold and conveyed as part of the forfeited estate of Sir John Johnson; and in the said conveyance, was estimated to contain one hundred and forty acres of land, be the same more or less.

By the report of the Surveyor-General, made to the Hon. the House of Assembly on the 7th of February last, it appears that in pursuance of concurrent resolutions of the Senate and Assembly, passed by the Legislature at their last session, he had caused the said lot to be surveyed according to the claims and possessions of the proprietors of the surrounding lands, and on such survey, the said lot appeared to contain only $47\frac{1}{2}$ acres of land, which leaves a deficiency in the estimated quantity of land mentioned in the said conveyance equal to $92\frac{1}{2}$ acres.

The sum of one thousand pounds is expressed in the foregoing conveyance as the consideration money paid by Robert M'Williams, and which sum must be deemed to have been paid by the said Robert M'Williams to the said commissioners of forfeiture.

In the opinion of the Attorney-General, the petitioner has a just claim on the Legislature for a return of part of the said consideration money, in proportion as the same bears to the deficiency of the said lot of land, as ascertained by the Surveyor-General.

All of which is respectfully submitted.

JOSIAH OGDEN HOFFMAN.

March 10*th*, 1798.

Which report was agreed to by the House. Thereupon,

Ordered, That Mr. Mitchell, M. J. Hogeboom and Mr. Dewey, be a committee to prepare and bring in a bill pursuant to said report.

Mr. Wendell, from the committee to whom was referred the representation of the commissioners appointed for erecting a public building in the city of Albany, reported, that the committee had agreed to a bill entitled "*An act supplementary to the act entitled "An act for erecting a public building in the county of Albany, and for other purposes therein mentioned,*" which he obtained leave to bring in; the said bill was read the first time and ordered a second reading.

Mr. Carman, from the committee to whom was referred the petition of the Judges and Supervisors of Queen's county, reported in favor of the prayer thereof, and obtained leave to bring in a bill, entitled "*An act for raising money to finish and repair the Court-House and Gaol in Queen's county,*" which was read the first time and ordered a second reading.

By unanimous consent the said bill was read the second time, and committed to the Members attending this House from the county of Queen's.

Ordered, That the committee of the whole House be discharged from the further consideration of the bill entitled "*An act to vest certain powers in the freeholders and in-*

habitants of the village commonly called Old Fort Schuyler," and that the ſame be committed to a ſelect committee, conſiſting of the Members attending in this Houſe from the county of Herkemer.

Mr. Benton, from the committee to whom was referred the petition of ſundry inhabitants of Dutcheſs and Weſtcheſter counties, for the erection of a new county, reported, that from the view which the committee have been enabled to take of the local poſition of the diſtrict propoſed to be erected into a new county, it does not appear unreaſonable that the prayer of the petitioners ſhould be granted, but in order better to aſcertain the wiſhes of the inhabitants within the diſtrict, the committee recommend that the conſideration of the ſubject be poſtponed till the next ſeſſion of the Legiſlature. Which report was agreed to by the Houſe.

Ordered, That the committee of the whole Houſe be diſcharged from the further conſideration of the bill entitled "*An act to amend the act entitled An act to organize the militia of this State,*" and that the ſaid bill be committed to a ſelect committee conſiſting of Mr. Fairlie, Mr. Clinton, Mr. Maſon, Mr. Kane, Mr. P. I. Schuyler, Mr. Comſtock, and Mr. Williamſon.

A meſſage from the Hon. the Senate, delivered by Mr. Arndt and Mr. Cantine, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "*An act for the relief of the children of Martin Heyſen,*" to which they requeſt the concurrence of this Houſe. The ſaid bill was read the firſt time and ordered a ſecond reading.

Mr. Benton, from the committee of the whole Houſe on the bill entitled "*An act for the relief of the repreſentatives of Joſeph Crane, deceaſed,*" reported, that the committee had gone through the bill, made amendments, and filled up the blanks, which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

Mr. Jenkins, from the committee of the whole Houſe on the bill entitled "*An act for the relief of Brockholſt Livingſton and others,*" reported progreſs and obtained leave to ſit again.

The Hon. the Senate returned by Mr. Cantine and Mr. Coe, the bill entitled "*An act for dividing the town of Saratoga, and for other purpoſes,*" the bill entitled "*An act for the appointment of a Treaſurer,*" and the bill entitled "*An act to amend the act entitled "An act to regulate highways."*

Ordered, That Mr. Wood and Mr. Adams deliver the ſaid bills to the Hon. the Council of Reviſion.

Mr. Burr made a motion, that the Houſe ſhould agree to a reſolution, which was read and agreed to by the Houſe, and is in the words following, viz.

Reſolved, That the following deſcription of perſons, and no others, ſhall be entitled to bounties of land according to their reſpective grades:

1ſt. Every perſon being a citizen of this State, who ſerved years in the line or in the hoſpital, or in the ſtaff of the army of the United States.

2d. Every perſon who having ſerved as aforeſaid, became on or before the and who now is, or if deceaſed, who continued until the time of his death to be an inhabitant and citizen of this State, and who obtained an honorable diſcharge, provided that no perſon who hath received from any other State a bounty in lands or money, ſhall be entitled under theſe reſolutions, and, provided that, being an inhabitant of that part of this State which is now within the limits of Vermont, ſhall not be conſidered as being an inhabitant of this State within the meaning of this reſolution.

Ordered, That Mr. Bird, Mr. Fonda and Mr. Bevier, be a committee to prepare and bring in a bill conformable to the ſaid reſolution.

Ordered, That the committee of the whole Houſe be diſcharged from the further conſideration of the bill entitled "*An act to incorporate the Stockholders of the United Inſurance Company in the city of New-York,*" and that the ſaid bill be committed to a ſelect committee, conſiſting of Mr. Burr, Mr. Clinton and Mr. Warner.

The Attorney-General, to whom was referred the petition of Michael Houſcall, reported:

That from the peculiar ſituation of the property of Mary Strand, deceaſed, occaſioned by the loſs of her laſt will and teſtament, as ſtated in the petition, it will, in the opinion of the Attorney-General, be proper to grant relief to the petitioner, by authorizing the Court of Probates, on the ſurrogate of the city and county of New-York, on ſatisfactory proof being made of the loſs of the will of the ſaid Mary Strand, to grant letters of adminiſtration of her property to ſuch perſon as would have been legally entitled to the ſame in caſe ſhe had died inteſtate.

It appears to the Attorney-General, that the intereſt of the infant legatees, and the rights of the creditors of the ſaid Mary Strand, deceaſed, under all the circumſtances of the preſent caſe, combine to render ſuch legal proviſion juſt and fit.

All of which is reſpectfully ſubmitted.

JOSIAH OGDEN HOFFMAN.

MARCH 10*th*, 1798.

Ordered, That the ſaid report be committed to Mr. Griſwold, Mr. Arcularius and Mr. Campbell.

Mr. Wood, from the committee to whom was referred the petition of Hendrick Aupumut, an agent for the Stockbridge Indians, reported:

That the claim of the Stockbridge Indians was, the laſt ſeſſion of the Legiſlature, ſubmitted to commiſſioners appointed for that purpoſe, who, after a full examination of it, reported a ſtate of the claim with their opinion, that it was not ſubſtantiated and ought not to be allowed; which report is filed in the office of the Secretary of this State. That in the opinion of the committee, it is unneceſſary and would be improper to give any further countenance to the claim. That in the opinion of the committee, it would be inexpedient to grant an annuity to the ſaid Indians, except on the ſame grounds on which an annuity is allowed to the Oneidas and other Indians. That as the ſaid Hendrick has been deputed on this buſineſs by his tribe, it would, in the opinion of the committee, be proper to authorize his Excellency the Governor, to take order on the treaſury for ſuch ſum of money as will, in his opinion, be neceſſary to defray the expenſes of the ſaid Hendrick at this place and on his way to the ſeat of government of the United States.

Ordered, That the conſideration of the ſaid report be poſtponed.

Whereas Hendrick Aupumut, one of the Stockbridge Indians, now in this city, has been deputed by his tribe on buſineſs with the Legiſlature of this State and with the United States,

Reſolved, (if the Hon. the Senate concur herein) That his Excellency the Governor be authorized to take order on the treaſury for ſuch ſum of money as will, in his opinion, be neceſſary to defray the expenſes of the ſaid Hendrick Aupumut at this place and on his way to the ſeat of government of the United States.

Ordered, That Mr. Wood and Mr. Adams deliver a copy of the preceding reſolution to the Hon. the Senate.

Mr. Fairlie, from the committee of the whole Houſe, on the bill entitled "*An act for the relief of Catharine Weſterlo and others*," reported, that the committee had gone through the bill without amendment, which he was directed to report to the Houſe, and read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

Ordered, That it be the order of the day on Saturday next, for this Houſe to reſolve itſelf into a committee of the whole Houſe, on the bill entitled "*An act to veſt the title of the people of this State in certain lands in the county of Waſhington, in John Thurman.*"

Mr. Maſon, from the committee of the whole Houſe, on the bill entitled "*An act for the relief of the deviſees of John H. Ten Eyck, deceaſed*," reported, that after the ſaid bill had been read in the committee, a motion was made that the ſame ſhould be rejected. That the queſtion being put thereon, it was carried in the affirmative; which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe. Thereupon,

Reſolved, That the ſaid bill be, and the ſame is hereby rejected.

Then the Houſe adjourned until ten o'clock on Monday morning next.

Monday, ten o'clock, A. M. March 19th, 1798.

The engroſſed bill entitled "*An act for the relief of Catharine Weſterlo and others,*" was read the third time.

Reſolved, That the bill do paſs.

The engroſſed bill entitled "*An act for the relief of the repreſentatives of Joſeph Crane, deceaſed,*" was read the third time.

Reſolved, That the bill do paſs.

Ordered, That Mr. Adams and Mr. Arcularius deliver the two laſt mentioned bills to the Hon. the Senate, and requeſt their concurrence.

The bill entitled "*An act for the relief of the children of Martin Heyſen, deceaſed,*" and the bill entitled "*An act ſupplementary to the act entitled "An act for erecting a public building in the county of Albany, and for other purpoſes therein mentioned,*" were ſeverally read the ſecond time and committed to a committee of the whole Houſe.

A petition of John Keeſe and Catharine Tillinghaſt, widow of Charles Tillinghaſt, deceaſed, praying grants of bounty lands, was read and referred to Mr. Bird, Mr. Fonda and Mr. Bevier.

A memorial of Elizabeth Kettletas, praying that the amount of the recognizance forfeited to the people of this State by Edmund Ludlow and his ſureties, may be directed to be paid to her, was read, and referred to Mr. Metcalfe, Mr. M'Cord and Mr. Coe.

A memorial of Coll M'Gregor, of the city of New-York, offering to diſpoſe of the dwelling-houſe in State-ſtreet, in the city of Albany, of which he is the proprietor, was read, and referred to the joint committee appointed to conſider and report the proper ways and means to provide as well for the repayment of the money remaining due on the loan made to this State by the Bank of New-York, as for the diſcharge of the appropriations made, or to be made in the preſent ſeſſion of the Legiſlature.

A petition of Elizabeth Cryſler, widow and relict of Baltus Cryſler, late of Schoharie, who was killed while in the ſervice of the public, in the year 1780, praying ſimilar relief as has been granted to Catharine Paris, was read, and referred to Mr. Deitz, Mr. J. A. De Witt and Mr. Holt.

Mr. Maſon, purſuant to notice by him for that purpoſe heretofore given, moved for and obtained leave to bring in a bill entitled "*An act providing for the diviſion of towns,*" which was read the firſt time and ordered a ſecond reading.

Mr. Benton, purſuant to notice by him for that purpoſe heretofore given, moved for and obtained leave to bring in a bill entitled "*An act ſupplementary to an act entitled "An act to amend an act entitled "An act to regulate highways,*" which was read the firſt time and ordered a ſecond reading.

Mr. Carman, from the ſelect committee to whom was committed the bill entitled "*An act for raiſing money to finiſh and repair the court-houſe and gaol in Queen's county,*" reported, that the committee had gone through the bill without amendment, which he was directed to report to the Houſe, and he read the report in his place and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

Mr. Rice, from the ſelect committee to whom was committed the bill entitled "*An act to amend the act entitled "An act for dividing the county of Schoharie into towns,*" reported, that the committee had gone through the bill without amendment, which he was directed to report to the Houſe, and he read the report in his place and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

Mr. Kane, from the committee to whom was referred the petition of Jacob G. Klock and others, reported againſt the prayer thereof, which report was agreed to by the Houſe.

Mr. Horton, from the ſelect committee to whom was committed the bill entitled "*An act to erect part of the towns of Middletown, Kortright and Walton, in the county of Delaware, into a ſeparate town,*" reported, that the committee had gone through the bill and made amendments, which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

Mr. Moffet, from the committee of the whole Houſe on the bill entitled "*An act for the relief of John Oſtrander,*" reported progreſs and obtained leave to ſit again.

Mr. Maſon, from the committee of the whole Houſe on the bill entitled "*An act for the relief of Jonas C. Baldwin,*" reported progreſs, and obtained leave to ſit again.

Mr. Kane, from the committee to whom was referred the petition of the truſtees of Union College, reported in favor thereof, and obtained leave to bring in a bill entitled "*An act providing for the completion of Union College,*" which was read the firſt time and ordered a ſecond reading.

The Houſe proceeded to the conſideration of the amendments of the Hon. the Senate to the bill entitled "*An act for the regulation of pilots and pilotage for the port of New-York;*" one of the ſaid amendments was to alter the title, the altered title is "*An act ſupplementary to the act entitled "An act for the regulation of pilots and pilotage, for the port of New-York, and for other purpoſes therein mentioned,*" and the other amendments being read a ſecond time, were concurred in by the Houſe, and the bill amended accordingly.

Ordered, That Mr. Adams and Mr. Arcularius deliver the bill to the Hon. the Senate, and inform them that this Houſe have concurred in their amendments, and have amended the ſame accordingly.

Mr. Storm, from the committee of the whole Houſe on the bill entitled "*An act to enable Joſeph Kline to rebuild Chace's bridge,*" reported, that after the ſaid bill had been read in the committee, Mr. Maſon made a motion, that the committee ſhould agree to a ſubſtitute in lieu of the ſaid bill, which was read, and with its title is in the words following, viz.

An act repealing the ſecond ſection of the act entitled "An act for the relief of William Chace, and for keeping in repair the bridge over Hooſack river."

Be it enacted by the people of the State of New-York repreſented in Senate and Aſſembly, That the ſecond ſection of the act entitled "An act for the relief of William Chace, and for keeping in repair the bridge erected over Hooſack river," paſſed the 23d of March, 1792, be, and the ſame is hereby repealed, and the ſaid bridge over Hooſack river ſhall be conſidered to be under the immediate direction of the ſuperintendants of highways for the county of Renſſelaer, as the other bridges in ſaid county are.

That the queſtion being put whether the committee did agree to the ſubſtitute propoſed by the the motion of Mr. Maſon, it was carried in the affirmative.

Mr. Storm further reported, that the committee had gone through the bill without amendment, which he was directed to report to the Houſe, and he read the report in his place and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

Reſolved, (if the Hon. the Senate concur herein) That a joint committee of both Houſes be appointed to take into conſideration the report of the Superintendant of the Salt-Springs, and to enquire and report whether any and what further proviſions are neceſſary relative to them; and in caſe of ſuch concurrence, that Mr. Wood, Mr. Dewey, Mr. Halſey, Mr. Williamſon and Mr. Clifft, be of the ſaid committee on the part of this Houſe.

Ordered, That Mr. Arcularius and Mr. Baldwin deliver a copy of the preceding reſolution to the Hon. the Senate.

Mr. Williamſon, from the committee to whom was referred the petition of John Meyer and others, praying Legiſlative aid for improving and opening the road from Fort Stanwix to Oſwego, reported, that in the opinion of the committee, the prayer of the petitioners merits the attention of the Legiſlature, and that it will be of great public utility, beſides enhancing the value of the lots ordered to be ſold in Oſwego; that the committee have prepared a bill for ſuch purpoſe, and directed him to move for leave to bring in the ſame; leave being given accordingly, Mr. Williamſon bro't in the ſaid bill, entitled "*An act for improving and opening the road from Fort Stanwix to Oſwego town,*" which was read the firſt time and ordered a ſecond reading.

Mr. J. Hogeboom, from the committee of the whole Houſe, on the bill entitled "*An act to eſtabliſh a Turnpike Corporation for improving the road from the Springs in Lebanon to the city of Albany,*" reported progreſs: Thereupon,

Ordered, That the committee of the whole Houſe be diſcharged from the further conſideration of the ſaid bill, and that the ſame be committed to a ſelect committee, conſiſting of Mr. Bird, Mr. Comſtock and Mr. Moffet.

Ordered, That the committee of the whole Houſe be diſcharged from the further conſideration of the bill entitled "*An act to eſtabliſh a Turnpike Corporation for improving the road from the houſe of John Weaver, in Watervliet, to Cherry Valley*," and that the ſame be committed to a ſelect committee, conſiſting of Mr. Dewey, Mr. Bowen, Mr. Burt, Mr. Brown and Mr. Gettman.

A copy of a reſolution of the Hon. the Senate, delivered by Mr. Coe and Mr. Clark, was read, and is in the words following, viz.

Reſolved, (if the Hon. the Aſſembly concur herein) That the Senate and Aſſembly will reſpectively, to-morrow at twelve o'clock, proceed to the nomination of a Regent of the Univerſity in the place of Lewis Morris, deceaſed.

Reſolved, That this Houſe do concur with the Hon. the Senate in their ſaid preceding reſolution.

Ordered, That Mr. Arcularius and Mr. Baldwin deliver a copy of the preceding concurrent reſolution to the Hon. the Senate.

The Hon. the Senate returned by Mr. Clark and Mr. Frey, the bill entitled "*An act ſupplementary to the act entitled "An act for the regulation of pilots and pilotage, and for other purpoſes therein mentioned.*"

A copy of a reſolution of the Hon. the Senate, delivered by Mr. Clark and Mr. Frey, was read, that the Senate do concur with this Houſe in their reſolution, that a joint committee of both Houſes be appointed to take into conſideration the report of the Superintendant of the Salt-Springs, and to enquire and report whether any and what further proviſions are neceſſary relative to them; and that Mr. Gold, Mr. L'Hommedieu and Mr. Phelps, be of the ſaid committee on the part of the Senate.

Mr. Jenkins, from the committee of the whole Houſe, on the bill entitled "*An act making proviſion for Robert Yates and John Sloſs Hobart*," reported the proceedings of the committee to have been as follows, viz. "That after the ſaid bill had been read in the committee, the firſt enacting clauſe thereof was again read, and is in the words following, viz.

Be it enacted by the people of the State of New-York, repreſented in Senate and Aſſembly, That there ſhall be granted to the ſaid Robert Yates and John Sloſs Hobart, each of them, a gratuity of acres of land; and that the commiſſioners of the land-office ſhall accordingly cauſe letters patent to be made out and iſſued to them ſeverally, in the uſual form, for the ſaid reſpective quantities of acres, out of any of the lands belonging to this State within the county of Onondaga, not reſerved for promoting the goſpel, public ſchools or literature, wherever the commiſſioners ſhall judge proper; provided the ſame ſhall not be occupied and improved by any other perſon or perſons.

That debates were had thereon, and the queſtion being put whether the committee did agree thereto, it paſſed in the negative in the manner following, viz.

For the Negative.

Mr. Adams,	Mr. Comſtock,	Mr. Horton,	Mr. Skidmore,
Mr. Baldwin,	Mr. Deitz,	Mr. Hovey,	Mr. A. Smith,
Mr. Barber,	Mr. J. A. De Witt,	Mr. Howard,	Mr. J. Smith,
Mr. J. Barker,	Mr. J. C. De Witt,	Mr. Lee,	Mr. N. Smith,
Mr. T. Barker,	Mr. Dewey,	Mr. Maſon,	Mr. Snell,
Mr. W. Barker,	Mr. Foot,	Mr. M'Cord,	Mr. Storm,
Mr. Benton,	Mr. Fort,	Mr. M'Farlan,	Mr. Teed,
Mr. Bevier,	Mr. Gettman,	Mr. Micheau,	Mr. Ten Broeck,
Mr. Bowen,	Mr. Hall,	Mr. Moffet,	Mr. Jeſſe Thompſon,
Mr. Bruyn,	Mr. Hatfield,	Mr. Morſe,	Mr. Iſrael Thompſon,
Mr. Burt,	Mr. Heermance,	Mr. Pearſall,	Mr. Joel Thompſon,
Mr. Campbell,	Mr. Henry,	Mr. Potter,	Mr. Van Alſtyne,
Mr. Carman,	Mr. Hoag,	Mr. Pride,	Mr. Voſburgh,
Mr. Clark,	Mr. Holly,	Mr. Reeve,	Mr. Wendell,
Mr. Clifft,	Mr. Holt,	Mr. Rice,	Mr. Wheeler. 61
Mr. Coe,			

For the Affirmative.

Mr. Arcularius,	Mr. Coryell,	Mr. Kane,	Mr. Speaker,
Mr. Bird,	Mr. De la Montagnie,	Mr. Mitchell,	Mr. Thomas,
Mr. Boyd,	Mr. Fairlie,	Mr. Ogden,	Mr. Verplank,
Mr. Brown,	Mr. Griſwold,	Mr. Robins,	Mr. Warner,
Mr. Burr,	Mr. Halſey,	Mr. P. I. Schuyler,	Mr. Williamſon,
Mr. Burling,	Mr. J. Hogeboom,	Mr. P. P. Schuyler,	Mr. Wood. 36
Mr. Clinton,	Mr. K. Hogeboom,		

That Mr. Wood then made a motion, that the committee ſhould agree to a ſubſtitute with a recital in lieu of the ſaid bill, which was read, and is in the words following, viz.

Whereas Robert Yates and John Sloſs Hobart, late two of the judges of the Supreme Court of this State, were appointed to that office and accepted of it at the commencement of the late American revolution, and whereas the State has liberally rewarded others who entered on public offices at the ſame critical period: therefore,

Be it enacted by the people of the State of New-York repreſented in Senate and Aſſembly, That it ſhall and may be lawful for the commiſſioners of the land-office, and they are hereby directed to iſſue letters patent to Robert Yates, late one of the judges of the Supreme Court of this State, his heirs and aſſigns acres of land in the county of Onondaga.

And be it further enacted, That the commiſſioners of the land-office ſhall iſſue letters patent to John Sloſs Hobart, late one of the juſtices of the Supreme Court of this State, his heirs or aſſigns acres of land in the county of Onondaga.

That debates were had thereon, and the queſtion being put whether the committee did agree to the ſubſtitute propoſed by the motion of Mr. Wood, it paſſed in the negative in the manner following, viz.

For the Negative.

Mr. Adams,	Mr. Coe,	Mr. Holly,	Mr. Skidmore,
Mr. Baldwin,	Mr. Comſtock,	Mr. Holt,	Mr. A. Smith,
Mr. J. Barker,	Mr. Deitz,	Mr. Horton,	Mr. T. Smith,
Mr. T. Barker,	Mr. J. A. De Witt,	Mr. Lee,	Mr. J. Smith,
Mr. W. Barker,	Mr. J. C. De Witt,	Mr. Maſon,	Mr. N. Smith,
Mr. Benton,	Mr. Dewey,	Mr. M'Cord,	Mr. Snell,
Mr. Bevier,	Mr. Fort,	Mr. M'Farlan,	Mr. Teed,
Mr. Bowen,	Mr. Gertman,	Mr. Michaeu,	Mr. Iſrael Thompſon,
Mr. Bruyn,	Mr. Hall,	Mr. Moffet,	Mr. Joel Thompſon,
Mr. Burt,	Mr. Hatfield,	Mr. Pearſall,	Mr. Jeſſe Thompſon,
Mr. Campbell,	Mr. Heermance,	Mr. Potter,	Mr. Van Alſtyne,
Mr. Carman,	Mr. Henry,	Mr. Pride,	Mr. Wendell,
Mr. Clark,	Mr. Hoag,	Mr. Reeve,	Mr. Wheeler. 53
Mr. Cliff,			

For the Affirmative.

Mr. Arcularius,	Mr. De la Montagnie,	Mr. Metcalfe,	Mr. Ten Broeck,
Mr. Bird,	Mr. Fairlie,	Mr. Mitchell,	Mr. Thomas,
Mr. Boyd,	Mr. Foot,	Mr. Ogden,	Mr. Verplank,
Mr. Brown,	Mr. Griſwold,	Mr. Rice,	Mr. Vosburgh,
Mr. Burr,	Mr. J. Hogeboom,	Mr. Robins,	Mr. Warner,
Mr. Burling,	Mr. K. Hogeboom,	Mr. P. I. Schuyler,	Mr. Williamſon,
Mr. Clinton,	Mr. Howard,	Mr. Storm,	Mr. Wood. 31
Mr. Coryell,	Mr. Kane,	Mr. Speaker,	

Which he was directed to report to the Houſe, and he read the report in his place and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Mr. Burling, from the committee of the whole Houſe on the bill entitled "*An act relative to the corporation for the relief of the widows and children of clergymen in the communion of the Proteſtant Epiſcopal Church in America, and for inſtituting a new corporation within this State for ſimilar purpoſes,*" reported, that the committee had gone through the bill without amendment, which he was directed to report to the Houſe, and he read the report in his place and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

Reſolved, That Mr. Wood, Mr. Bird and Mr. Griſwold be a committee to examine and report what part of the unfiniſhed buſineſs before this Houſe is neceſſary to be taken up the preſent ſeſſion.

Mr. Maſon, from the committee of the whole Houſe on the bill entitled "*An act for eſting all the right and title of the people of this State of, in and to the lands whereof John readbake died ſeized, in Anna Breadbake, his widow*, reported that the committee had one through the bill without amendment, which he was directed to report to the louſe, and he read the report in his place, and delivered the ſame in at the table, here it was again read and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

Then the Houſe adjourned until ten o'clock to-morrow morning.

Tueſday, ten o'clock, A. M. March 13th, 1798.

The engroſſed bill entitled "*An act for veſting all the right and title of the people of is State of, in and to the real eſtate whereof John Breadbake died ſeized, in Anna Breadbake, widow*," was read the third time.

Reſolved, That the bill do paſs.

The engroſſed bill entitled "*An act for raiſing money to finiſh and repair the Court-uſe and Gaol in Queen's county*," was read the third time.

Reſolved, That the bill do paſs.

The engroſſed bill entitled "*An act to amend the act entitled "An act to divide the county Schoharie into towns*," was read the third time.

Reſolved, That the bill do paſs.

The engroſſed bill entitled "*An act repealing the ſecond ſection of the act entitled "An for the relief of William Chace, and for keeping in repair the bridge over Hooſack river*," s read the third time.

Reſolved, That the bill do paſs.

The engroſſed bill entitled "*An act to erect part of the towns of Middletown, Kortright Walton, in the county of Delaware, into a ſeparate town*," was read the third time.

Reſolved, That the bill do paſs.

The engroſſed bill entitled "*An act relative to the corporation for the relief of the ows and children of Clergymen in the communion of the Proteſtant Epiſcopal Church in erica, and for inſtituting a new corporation within this State for ſimilar purpoſes*," was d the third time.

Reſolved, That the bill do paſs.

Ordered, That Mr. J. Barker and Mr. T. Barker deliver the fix before mentioned s to the Hon. the Senate, and requeſt their concurrence.

The bill entitled "*An act to incorporate the Stockholders of the United Inſurance Com-y in the city of New-York*," with the engroſſed amendment, was read the third time.

Reſolved, That the bill do paſs.

Ordered, That Mr. J. Barker and Mr. T. Barker deliver the bill to the Hon. the ate, and inform them that this Houſe have paſſed the ſame with the amendment rewith delivered.

The bill entitled "*An act providing for the the completion of Union College ;*" the bill tled "*An act for improving and opening the road from Fort Stanwix to Oſwego town ;*" bill entitled "*An act providing for the diviſion of towns*," and the bill entitled "*An ſupplementary to the act entitled "An act to amend the act entitled "An act to regulate ways*," were ſeverally read the ſecond time and committed to a committee of the le Houſe.

petition of Iſaac Finch, of Clinton county, praying a grant of vacant lands in county, was read and committed to the committee of the whole Houſe, when on bill entitled "*An act to amend the act entitled "An act for the further ſale of the unap-riated land of this State.*"

petition of Robert Johnſon, of Carmeltown, in the county of Dutcheſs, relative deed of a farm ſold by the commiſſioners of forfeitures for the Middle Diſtrict, William Smith, and purchaſed of him by the petitioner; which deed he alledges ve been accidentally burnt; was read, and referred to the Attorney-General.

r. Mitchell, purſuant to notice by him heretofore given for that purpoſe, moved nd obtained leave to bring in a bill, entitled "*An act for the further relief of debtors reſpect to the impriſonment of their perſons*," which was read the firſt time and or-l a ſecond reading.

r. Mitchell, from the committee appointed for the purpoſe, brought in a bill, led "*An act for the relief of Clement Saidler*," which was read the firſt time and ed a ſecond reading.

Mr. Mitchell, from the ſelect committee to whom was committed the bill entitled "*An act to provide againſt infectious and peſtilential diſeaſes,*" reported that the committee had gone through the bill without amendment, which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read: Thereupon,

Ordered, That the ſaid bill be recommitted to a committee of the whole Houſe.

Mr. Fairlie, from the ſelect committee to whom was committed the bill entitled "*An act to amend the act entitled "An act to organize the militia of this State,*" reported, that the committee had gone through the bill, made amendments and added clauſes, which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read: Thereupon,

Ordered, That the ſaid bill be recommitted to a committee of the whole Houſe.

A copy of a reſolution of the Hon. the Senate, delivered by Mr. Frey and Mr. Gold, was read, that the Senate do concur with this Houſe in their reſolution as entered on the journals of the 10th inſt. relative to Hendrick Aupumut.

Ordered, That Mr. T. Barker and Mr. W. Barker deliver a copy of the ſaid concurrent reſolution to his Excellency the Governor.

Mr. Snell, from the committee to whom was referred the petition of Nicholas Smith, reported in favor of the petitioner, and obtained leave to bring in a bill entitled "*An act for the relief of Nicholas Smith,*" which was read the firſt time and ordered a ſecond reading.

Mr. Bird, from the committee appointed for the purpoſe, brought in a bill, entitled "*An act aſcertaining the perſons entitled to bounty lands for military ſervices,*" which was read the firſt time and ordered a ſecond reading.

The Surveyor-General, to whom was referred the petition of Caleb Brown and others, reported, that the petitioners ſtate that they reſide on a tract of land granted to Leonard Liſpenard and others, and although they have occupied the ſame for many years, and made large improvements thereon, they have never been able to diſcover the proprietors thereof, except of ſuch part as may belong to ſaid Liſpenard, and that they have grounds to believe that the title to ſaid tract, or part thereof, has by attainder or otherwiſe, become veſted in the people of this State, and pray that it may be diſpoſed of to the petitioners.

It is poſſible that ſaid tract may have been forfeited to the people of this State, but no evidence has yet been diſcovered by the late commiſſioners of forfeitures, or by the Surveyor-General, that ſuch is the fact.

All which is reſpectfully ſubmitted.

SIMEON DE WITT, *Surveyor-General.*

ALBANY, *March 8th*, 1798.

Ordered, That the conſideration of the ſaid report be poſtponed.

Mr. Burr, from the committee to whom was committed the bill entitled "*An act authorizing the arreſt of ſhips and veſſels for debts contracted by the maſter, owner or conſignee in the port of New-York,*" reported, that the committee had gone through the ſaid bill and made amendments, which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read: Thereupon,

Ordered, That the ſaid bill be recommitted to a committee of the whole Houſe.

A meſſage from his Excellency the Governor, delivered by his private ſecretary, was read, and is in the words following, viz.

GENTLEMEN,

I have the honor of laying before you the annual report of the Regents of the Univerſity.

JOHN JAY.

ALBANY, *March 13th*, 1798.

The report of the Regents of the Univerſity is in the words following:

To the Hon. the Legiſlature of the State of New-York.

The Regents of the Univerſity reſpectfully preſent the following report of the Colleges and Academies within the State, collected from the reports of the ſeveral committees of viſitation, and of the reſpective truſtees of thoſe ſeminaries.

COLUMBIA COLLEGE.

The committee appointed to viſit this college, have tranſmitted the following report, which they believe to be a true ſtatement of facts, reſpecting that inſtitution. They regret, with the faculty of arts, that there is not proper encouragement to the medical profeſſors. Men engaged with zeal, aſſiduity and ſkill in teaching a branch of ſcience in which the lives of ſo many thouſands of their fellow-citizens are deeply intereſted, and on which the reputation and ſucceſs of the inſtitution, throughout the union, ſo much depend, juſtly merit encouragement: this encouragement is wholly in the breaſt of the Legiſlature.

The report is: "The college, with reſpect to the number and abilities of its profeſſors, the advantages for inſtruction in the various branches of uſeful and ornamental literature, and the number and proficiency of its ſtudents, is in a proſperous and flouriſhing ſtate.

"The number of ſtudents who receive inſtruction in the college, is one hundred and eleven, of which eighty-two are under the care of the faculty of arts, and twenty-nine under the care of the faculty of medicine. The number of matriculated ſtudents is nearly the ſame with that comprehended in the laſt year's report, the difference ariſing from a diminution of the number attending on individual lectures only; the profeſſors having found their time ſo occupied in the ordinary buſineſs of the college, as not to afford them leiſure to pay that attention generally required in private, to ſtudents of this deſcription.

"Lectures are regularly delivered in the college on natural philoſophy, the mathematics, and geography; on the Latin and Greek languages, and Roman and Grecian antiquities; on rhetoric and belles lettres; on logic and moral philoſophy; on the French language; on the oriental languages; on law; on chymiſtry, agriculture and natural hiſtory; on anatomy, and the theory and practice of chirurgery; on the theory and practice of phyſic; on obſtetrics, and on botany, and the materia medica. The profeſſors are very aſſiduous in their attendance, and the different branches ſeverally aſſigned them, are taught with ability and diligence. The ſtudents are particularly decent and orderly in their deportment, and remarkably attentive to their ſtudies; and an exact diſcipline, conformably to the ſtatutes of the inſtitution, is maintained, and is at leaſt equal to what is obſerved in any other college.

"None of the profeſſors belonging to the medical faculty, have any ſtated ſalary, excepting what proviſion the Legiſlature has made for Dr. Poſt, and the ſalary of Dr. Mitchell, who, although connected with the faculty of arts, may be conſidered as attached to the faculty of phyſic. What they receive from the ſtudents is not by any means an adequate compenſation for their labor and ſervices; nor is the ſalary of ſome of the profeſſors belonging to the faculty of arts, proportioned to the importance of the branches which they are appointed to teach, and the time and attention neceſſary in doing juſtice to them.

"Very great inconveniences are experienced from the want of ſome additional building to the college, particularly from having no proper hall, or convenient rooms for the library, apparatus, or lectures of the different profeſſors. The truſtees, from a ſenſe of theſe inconveniences, ſome time ſince laid the foundation of a building, deſtined to provide thoſe neceſſary accommodations; but from the deficiency of pecuniary aid, have not been able to proceed."

UNION COLLEGE.

The committee appointed to viſit this college report, That they were accompanied by the chancellor of the univerſity in their viſitation; that they attended to an examination of the ſtudents in the Latin and Greek languages, and in trigonometry and Euclid's Elements; that they fully anſwered their expectation, and that the following report was handed to them by a ſelect committee of the truſtees.

"It gives us pleaſure to inform the Regents, that we have already held our public commencement in the college for conferring degrees, at which a ſmall claſs of three young gentlemen, after a very extenſive examination upon the arts and ſciences, in which they gave very great ſatisfaction, were admitted to the firſt degree; at the ſame time alſo, ſix gentlemen of literary character, and graduates in other colleges, were

admitted to the ſecond degree. The exerciſes were conducted with as much reſpectability as is uſual in much older inſtitutions.

"Since our laſt report, fourteen ſtudents have been admitted into the different claſſes, and we expect at the commencement in May next, to graduate ſix, who compoſe the preſent philoſophical claſs. The ſcarcity of grammar-ſchools, and the declining ſtate of ſeveral of the academies in the upper country, continue to operate as a diſcouragement to the college, in point of numbers, eſpecially as our regulations require a pretty large acquaintance with the languages and ſciences, before admiſſion into the higher claſſes.

"By the bounty of the Legiſlature the board have been able to add another tutor to the faculty, and have appointed Mr. Andrew Yates, preacher of the goſpel in the Reformed Dutch Church, with a ſalary of ſeven hundred and fifty dollars per annum.

"The officers of the college attend to their duty with ability, diligence and fidelity, agreeably to our repreſentation laſt year. The appearance of the ſtudents on their public examinations, evinces the attention both of the teachers and the pupils. Our duty to the inſtitution, and juſtice to its officers, requires us to teſtify that the utmoſt liberality and catholiciſm with regard to religious profeſſion, prevails in the adminiſtration of the college. Though the faculty is compoſed of men of different religious denominations, two of whom are preachers of the goſpel, and though they appear to be men attached through principle, to their reſpective perſuaſions, yet there exiſts the moſt entire cordiality between them, and in no inſtance has there been even the ſlighteſt appearance of a diſpoſition to introduce the peculiarities of any church amongſt the ſtudents, or to proſelyte them to any party.

"It gives us pleaſure to perceive that our officers are too enlightened and liberal to ſuppoſe that the peculiar diſtinctions of any deſcription of Chriſtians, ought to be an object in conducting a liberal education.

"The exerciſes of the college have been hitherto carried on in the former academy, but we have the proſpect at preſent of more ſuitable accommodations in a large building, in the erection of which we have made a conſiderable progreſs, deſtined for the families of the officers and various other purpoſes of the inſtitution. The building is one hundred and thirty-two feet in length, and fifty in breadth, with a projection in the centre of thirty-two feet wide, twelve feet in front, and ten in rear of the body of the houſe: it is to be three ſtories high, and to have the ſouth and weſt fronts facing two ſtreets, and is to be of ſtone of a ſuperior quality; we have aimed as much as poſſible to combine ſolidity, neatneſs, and economy, in executing the plan."

To this report of the truſtees, is annexed "The ſtate of the Funds," which is the ſame with that reported by the Regents laſt year.

ERASMUS HALL.

The committee of viſitation report, "That there are at preſent in ſaid academy ſixty-ſix ſtudents, young men and boys, from different parts of the United States, New-Orleans, the Weſt-Indies, and Europe, of theſe, thirty-ſix are learning the languages and the mathematics, three or four learning book-keeping, and the reſt Engliſh grammar, arithmetic, reading and writing; of theſe, twelve or fifteen beſide their other ſtudies, are learning the French language."

CLINTON ACADEMY.

The committee of viſitation report, "That one hundred and twenty-one ſcholars were receiving inſtruction there, ſixty-ſeven of whom attend in the day time, and fifty-four (being different ſcholars) are inſtructed in the evening; two of the former number are ſtudying the languages; three the mathematics; eight Engliſh grammar; ten common arithmetic, and the remainder are inſtructed in reading and writing. Six of the evening ſchool are ſtudying the mathematics, and the others are attending to common arithmetic.

"This academy has no funds, and the preſent teacher, who diſcharges the duties of his office to general ſatisfaction, receives no other compenſation than the fees of tuition."

NORTH-SALEM ACADEMY.

The committee of viſitation report: "That the truſtees are altering and refitting e academy, for the accommodation of boarders; that the number of ſcholars is y, of whom fifteen were ſtudying the Greek and Latin languages; ten, geogra- y; fifteen, mathematics, and twenty, reading, writing, arithmetic, and Engliſh ammar."

POUGHKEEPSIE ACADEMY.

By an application for relief from a ſelect committee of the truſtees, information is ven, that there are ſixty ſcholars, ſome of whom are purſuing claſſical ſtudies, hers reading, writing, arithmetic, and Engliſh grammar. They further repreſent, at they are at preſent embarraſſed by the debts of a former teacher, to the amount one hundred and fifty pounds, which they had aſſumed in balance of the arrears ſalary due to him, and for which (being now due) they are apprehenſive of being mediately ſued; the conſequence of which, will be the ſale of the buildings and t, and the diſſolution of the inſtitution.

COLUMBIA ACADEMY, *in* KINDERHOOK.

The truſtees informed the committee of viſitation: "That they have hitherto been nſucceſsful in obtaining a good and able inſtructor, capable of inſtructing in all e different branches of academic learning; and that the ſchool, at preſent under an nglish teacher, conſiſts of fifty-eight ſcholars, of whom eleven ſtudy geography; eventeen Engliſh grammar; nineteen arithmetic; thirty-ſeven writing, and the reſt pelling, &c."

LANSINGBURGH ACADEMY.

The truſtees gave the following report to the committee of viſitation: "That heir property is the ſame as in their laſt report; that they have finiſhed their acade- y, in which they have four large and convenient rooms; that they have employed principal, whoſe abilities and attention, promiſe fair to raiſe the academy to reſpec- ability and uſefulneſs; that they have twenty-three ſtudents under his tuition, thir- een of whom are engaged in the ſtudy of the Latin and Greek languages, and ten in he ſtudy of Engliſh grammar, arithmetic, and the arts and ſciencies; that they have received the donation which the board of Regents were ſo obliging as to grant them, nd have appropriated it to furniſh the academy with a ſelection of the moſt uſeful books, and the moſt neceſſary parts of a philoſophical apparatus; and that they can- not but flatter themſelves, that their infant ſeminary, thus ſituated and properly foſ- tered, will become a nurſery of ſcience, and be highly advantageous to the literary intereſt of the State."

OTSEGO ACADEMY, *in* COOPERSTOWN.

The building is completely finiſhed, at the expenſe of fifteen hundred and two pounds, ſixteen ſhillings and five pence, excluſive of labor beſtowed upon it gratis; more than two thirds of this ſum, together with the lot, valued at fifty pounds, were given by Mr. Cooper.

When the committee of Regents viſited it, the truſtees were in treaty with a perſon capable of academic inſtruction, and had already employed an Engliſh teacher in the academy, who had under his care fifty-three ſcholars.

OXFORD ACADEMY.

The committee of Regents who viſited this academy in the latter end of Septem- ber laſt, found that the former teacher had been abſent ſince July 1ſt, but that the truſtees were in hopes that he would ſoon return to his charge; that the Engliſh teacher had forty ſcholars under his care, and that the old academy having been in- conveniently ſituated, the building had been ſold, with a reſervation of the uſe of it till the firſt of July next, againſt which day the truſtees expect to have a new one erected on a more convenient ſcite.

HAMILTON ONEIDA ACADEMY.

The truſtees in a letter to the Regents repreſent, "That about four hundred and ſixteen acres of good land were given as a fund for the ſupport of the inſtitution; that they built the academy on a large ſcale, in dependance on the promiſes of liberal aid from different quarters; that diſappointed in theſe ſanguine expectations they were able only to erect the frame and partly encloſe it, in doing which they have incumbered nearly one half of the farm by a mortgage; that a number of gentlemen of property and reſpectability in the neighborhood, have aſſociated and determined to aſſiſt the truſtees in carrying the work on to completion, and that they have now before them pleaſing proſpects, and doubt not of having ſhortly a reſpectable ſeminary in that growing country."

UNION ACADEMY, *in* STONE-ARABIA.

The committee of viſitation report: "That the truſtees had nearly completed a building of two ſtories and an half in height, and of fifty by thirty feet in dimenſion; the coſt of which will not exceed ſix hundred pounds, and will be defrayed by ſubſcriptions; that the ſize of the lot on which it ſtands is one quarter of an acre, and has been paid for; that for the preſent, an Engliſh teacher has fifty ſcholars under his care in an adjacent building; that the truſtees will engage, as ſoon as poſſible, a perſon capable of academic inſtruction; that the intended rates of tuition, per annum, are ſix pounds for the Latin and Greek languages, and three pounds, four ſhillings, for Engliſh, &c. That they are not encumbered with any debt, have fifty acres of land, and hope, with ſome aid from the Legiſlature, to have their academy, very ſoon, in a flouriſhing condition."

JOHNSTOWN ACADEMY.

The committee of viſitation report: "That two of the truſtees appointed to confer with them informed them that the houſe and lot had been ſold for ſeven hundred and ſixty-nine pounds, and that they meant immediately to purchaſe a lot in ſome part of the town where land was not ſo valuable, but equally convenient, and build an academy in the courſe of the enſuing ſummer. The committee add, that they have been credibly informed that a lot has been lately purchaſed, and contracts made for carrying the intended building into immediate execution."

CANADAQUAI ACADEMY.

The truſtees repreſent, "That they are poſſeſſed of perſonal and real property, to the amount of thirty thouſand dollars at leaſt; that the building of fifty by forty feet dimenſion, will be finiſhed this ſummer; that as ſoon as the building is ready, and the income from their funds will warrant it, they will engage an able teacher and give him a very liberal compenſation; that the above fund conſiſts of lands in Ontario county, and of ſums of money, the intereſt of which is to be annually paid; that the lands amount to eight thouſand acres, and the money to about five thouſand dollars, both the principal and intereſt of which are ſecured upon valuable landed property."

CHERRY VALLEY ACADEMY.

The committee of viſitation report, "That its truſtees have leaſed the academy for ten years, of which nine are unexpired, to three reſpectable gentlemen, who, on the condition of finiſhing the building, are to engage teachers whom the truſtees ſhall approve of, on their own terms, and not exact more than four dollars per quarter from any of the ſtudents; that there have been one hundred and twenty ſcholars in the laſt year, ſeventeen engaged in learning the Latin and Greek languages; twenty geography and Engliſh grammar; twelve mathematics, and two aſtronomy and natural philoſophy; and that the academy is under the conduct of a principal and two uſhers." The committee further report, "That the day on which they viſited it, had been adverti ſed for the exhibition of the ſcholars in public ſpeaking; and that as a vacation enſued, they had the opportunity of examining, on the next day, only five ſcholars in the Latin, and two of them in the Greek language."

MONTGOMERY ACADEMY, Ulster *County.*

The committee of visitation report, "That there are fifty-two students, of whom n are learning the Greek and Latin languages; twelve book-keeping, Engliſh gram-ar, and geography, and four the mathematics."

FARMER's HALL, Orange *County.*

The committee of visitation report, "That there are fifty-two ſtudents, of whom x are ſtudying the Latin and Greek languages; five Engliſh grammar; four geog-phy; two mathematics, and thirty-five reading, writing and arithmetic.

By order of the Regents at Albany, March 5th, 1798.

JOHN JAY, *Chancellor.*

By command of the Chancellor.
David S. Jones, Secretary.

A meſſage from the Hon. the Senate, delivered by Mr. Gold and Mr. Gordon, ith the bill therein mentioned, was read, that the Senate have concurred in the mendment of this Houſe to the bill entitled *"An act to incorporate the Stockholders of e United Inſurance Company in the city of New-York,"* and have amended the ſame ccordingly.

Ordered, That Mr. J. Barker and Mr. T. Barker return the bill to the Hon. the enate.

The Hon. the Senate returned by Mr. Gold and Mr. Gordon the bill entitled *An act to divide the counties of Herkemer and Tioga."*

Ordered, That Mr. Benton and Mr. Bird deliver the bill to the Hon. the Council Reviſion.

Purſuant to the concurrent reſolutions of both Houſes of the Legiſlature, the ouſe proceeded to nominate a perſon as a Regent of the Univerſity of this State, in e place of Lewis Morris, Eſq. deceaſed; and each Member preſent openly nomi-ated a perſon as follows, viz.

	John Baſſett	Matthew Brown	John Bird	Simeon De Witt	Dirck Ten Broeck	John B. Johnſon		Simeon De Witt	John B. Johnſon
Mr. Adams,						1	Mr. Howard,	1	
Mr. Arcularius,					1		Mr. Hunt,	do	
Mr. Baldwin,							Mr. Jenkins,	do	
Mr. Barber,				1			Mr. Kane,		1
Mr. J. Barker,					do		Mr. Lee,	do	
Mr. T. Barker,						do	Mr. Maſon,		do
Mr. W. Barker,						do	Mr. M'Cord,	do	
Mr. Benton,				do			Mr. M'Farlan,		do
Mr. Bird,				do			Mr. M'Neal,		do
Mr. Bevier,						do	Mr. Metcalfe,	do	
Mr. Bowen,			1				Mr. Micheau,	do	
Mr. Bowman,				do			Mr. Miller,	do	
Mr. Boyd,		1					Mr. Mitchell,	do	
Mr. Brown,				do			Mr. Moffet,	do	
Mr. Bruyn,						do	Mr. Morſe,		do
Mr. Burr,				do			Mr. Ogden,		do
Mr. Burling,				do			Mr. Pearſall,		do
Mr. Burt,				do			Mr. Potter,		do
Mr. Campbell,	1						Mr. Prince,		do
Mr. Carman,					do		Mr. Pride,		do
Mr. Clark,							Mr. Reeve,	do	
Mr. Clifft,						do	Mr. Rice,	do	
Mr. Clinton,				do			Mr. Robins,	do	
Mr. Coe,						do	Mr. Roſs,		
Mr. Comſtock,						do	Mr. Savage,		do
Mr. Cornwell,						do	Mr. P. I. Schuyler,		do
Mr. Coryell,				do			Mr. P. P. Schuyler,		do
Mr. Deitz,						do	Mr. Skidmore,		do
Mr. De la Montagnie,				do			Mr. A. Smith,	do	
Mr. Denning,							Mr. J. Smith,	do	
Mr. J. A. De Witt,				do			Mr. N. Smith,		do
Mr. J. C. De Witt,				do			Mr. T. Smith,		do
Mr. Dewey,				do			Mr. Snell,		do
Mr. Fairlie,				do			Mr. Storm,		do
Mr. Fonda,							Mr. Speaker,		
Mr. Foot,						do	Mr. Teed,		do
Mr. Fort,						do	Mr. Ten Broeck,		do
Mr. Gettman,						do	Mr. Thomas,		
Mr. Gray,				do			Mr. Jeſſe Thompſon,		do
Mr. Gregory,							Mr. Iſrael Thompſon,	do	
Mr. Griſwold,				do			Mr. Joel Thompſon,		do
Mr. Hall,							Mr. Towner,		
Mr. Halſey,				do			Mr. Tyler,		
Mr. Hatfield,				do			Mr. Vandervoort,		do
Mr. Heermance,						do	Mr. Van Alſtyne,		do
Mr. Henry,						do	Mr. Verplank,		do
Mr. Hildrith,							Mr. Volburgh,	do	
Mr. Hoag,				do			Mr. Warner,		do
Mr. J. Hogeboom,						do	Mr. Wendell,		do
Mr. K. Hogeboom,				do			Mr. Weſt,		do
Mr. Holly,						do	Mr. Wheeler,	do	
Mr. Holt,							Mr. Williamſon,		do
Mr. Horton,				do			Mr. Wood.	do	
Mr. Hovey,				do					
	1	1	1	8				12	40

Mr. Clinton made a motion, that the Houſe ſhould agree to a reſolution in the ords following, viz.

Reſolved, That Simeon De Witt, Eſq. be, and he is hereby nominated a Regent of e Univerſity of this State, in the place of Lewis Morris, Eſq. deceaſed.

Mr. Savage made a motion, that the name of Simeon De Witt, in the ſaid reſolu-on, ſhould be expunged, and the name of John B. Johnſon inſerted in its place.

Mr. Speaker put the queſtion, whether the Houſe did agree to the amendment roposed by the motion of Mr. Savage, and it paſſed in the negative in the manner llowing, viz.

For the Negative.

Mr. Adams,	Mr. Clark,	Mr. Hatfield,	Mr. Miller,
Mr. Arcularius,	Mr. Clinton,	Mr. Hoag,	Mr. Mitchell,
Mr. Barber,	Mr. Comſtock,	Mr. K. Hogeboom,	Mr. Moffet,
Mr. Benton,	Mr. Coryell,	Mr. Horton,	Mr. Reeve,
Mr. Bird,	Mr. De la Montagnie,	Mr. Hovey,	Mr. Rice,
Mr. Bowen,	Mr. J. A. De Witt,	Mr. Howard,	Mr. Robins,
Mr. Bowman,	Mr. J. C. De Witt,	Mr. Hunt,	Mr. A. Smith,
Mr. Boyd,	Mr. Dewey,	Mr. Jenkins,	Mr. J. Smith,
Mr. Brown,	Mr. Fairlie,	Mr. Lee,	Mr. Iſrael Thompſon,
Mr. Burr,	Mr. Gray,	Mr. M'Cord,	Mr. Voſburgh,
Mr. Burt,	Mr. Griſwold,	Mr. Metcalfe,	Mr Wheeler,
Mr. Campbell,	Mr. Halſey,	Mr. Micheau,	Mr. Wood. 48

For the Affirmative.

Mr. J. Barker,	Mr. Fort,	Mr. Pearſall,	Mr. Teed,
Mr. T. Barker,	Mr. Gettman,	Mr. Potter,	Mr. Ten Broeck,
Mr. W. Barker,	Mr. Heermance,	Mr. Prince,	Mr. Jeſſe Thompſon,
Mr. Bevier,	Mr. Henry,	Mr. Pride,	Mr. Joel Thompſon,
Mr. Bruyn,	Mr. J. Hogeboom,	Mr. Savage,	Mr. Vandervoort,
Mr. Burling,	Mr. Holly,	Mr. P. I. Schuyler,	Mr. Van Alſtyne,
Mr. Carman,	Mr. Kane,	Mr. P. P. Schuyler,	Mr. Verplank,
Mr. Clift,	Mr. Maſon,	Mr. Skidmore,	Mr. Warner,
Mr. Coe,	Mr. M'Farlan,	Mr. T. Smith,	Mr. Wendell,
Mr. Cornwell,	Mr. M'Neal,	Mr. N. Smith,	Mr. Weſt,
Mr. Deitz,	Mr. Morſe,	Mr. Snell,	Mr. Williamſon. 47
Mr. Foot,	Mr. Ogden,	Mr. Storm,	

Mr. Speaker then put the queſtion whether the Houſe did agree to the reſolution pro-oſed by the motion of Mr. Clinton, and it was carried in the affirmative. Thereupon,

Reſolved, That Simeon De Witt, Eſq. be, and he is hereby nominated by this ouſe a Regent of the Univerſity of this State in the place of Lewis Morris, Eſq. eceaſed.

A copy of a reſolution of the Hon. the Senate, delivered by Mr. Gold and Mr. ordon, was read, and is in the words following, viz.

Reſolved, That the Senate will immediately meet the Hon. the Aſſembly, at ſuch ace as they ſhall appoint, to compare their nomination of a Regent of the Univer-y of this State, in the place of Lewis Morris, Eſq. deceaſed.

Reſolved, That this Houſe will immediately meet the Hon. the Senate, in the As-mbly Chamber, to compare their nomination of a Regent of the Univerſity of this ate, in the place of Lewis Morris, Eſq. deceaſed.

Ordered, That Mr. W. Barker and Mr. Benton deliver a copy of the preceding olution to the Hon. the Senate.

The Hon. the Senate accordingly attended in the Aſſembly Chamber to compare eir ſaid nomination; and having withdrawn, Mr. Speaker reported to the Houſe, at on comparing the nomination it was found that the Rev. John B. Johnſon was minated on the part of the Senate; that thereupon the two Houſes proceeded by oint ballot to nominate a perſon; that the ballots having been taken and counted, appeared that Simeon De Witt had the greateſt number of votes: Thereupon,

Reſolved, That Simeon De Witt be, and he is hereby duly nominated and ap-inted a Regent of the Univerſity of this State, in the place of Lewis Morris, Eſq. ceaſed.

Mr. Metcalfe, from the committee to whom was referred the petition of John ven, Sheriff of the city and county of Albany, reported in favor of the petitioner,

and obtained leave to bring in a bill entitled "*An act to provide for the expenses of maintaining, guarding and retaking criminals,*" which was read the first time and ordered a second reading.

Mr. Burling, in behalf of Mr. Griswold, from the committee of the whole House on the bill entitled "*An act authorizing the arrest of ships and vessels for debts contracted by the master, owner, or consignee, in the port of New-York,*" reported progress, and obtained leave to sit again.

Mr. Clinton, from the committee of the whole House, on the bill entitled "*An act concerning Constables and Collectors,*" reported progress: Thereupon,

Ordered, That the committee of the whole House be discharged from the further consideration of the said bill, and that the same be committed to a select committee, consisting of Mr. Burr, Mr. Bird and Mr. A. Smith.

Mr. Rice, from the committee to whom was committed the bill entitled "*An act for building a Court-House and Gaol in the county of Schoharie,*" reported, that the committee had gone through the bill, made amendments and added clauses, which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read and agreed to by the House.

Ordered, That the bill be engrossed.

Ordered, That the committee of the whole House be discharged from the further consideration of the petition of the inhabitants of Woodstock, and that the same be referred to Mr. Bevier, Mr. Reeve and Mr. Adams.

Mr. Mason, from the committee of the whole House, on the bill entitled "*An act concerning the estates of lunatics and idiots,*" reported, that the committee had gone through the bill without amendment, which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read and agreed to by the House.

Ordered, That the bill be engrossed.

Then the House adjourned until ten o'clock to-morrow morning.

Wednesday, ten o'clock, A. M. March 14th, 1798.

The engrossed bill entitled "*An act relative to the estates of lunatics and idiots,*" was read the third time.

Resolved, That the bill do pass.

The engrossed bill entitled "*An act for building a Court-House and Gaol in the county of Schoharie,*" was read the third time.

Resolved, That the bill do pass.

Ordered, That Mr. Bevier and Mr. Bowen deliver the two before mentioned bills to the Hon. the Senate.

The bill entitled "*An act for the further relief of debtors with respect to the imprisonment of their persons;*" the bill entitled "*An act for the relief of Clement Saidler;*" the bill entitled "*An act for the relief of Nicholas Smith;*" the bill entitled "*An act for ascertaining the persons entitled to land on account of military services,*" and the bill entitled "*An act to provide for the expenses of maintaining, guarding and retaking criminals,*" were severally read the second time and committed to a committee of the whole House.

Ordered, That the committee of the whole House be discharged from the further consideration of the bill entitled "*An act for the relief of Clement Saidler,*" and that the same be committed to a select committee, consisting of Mr. Clinton, Mr. J. Hogeboom and Mr. J. A. De Witt.

A petition of Lewis Dubois, praying a grant of bounty lands for his services in the course of the late war, was read and referred to Mr. Bird, Mr. Fonda and Mr. Bevier.

A petition of Thomas Shipboy, relative to a demand against the forfeited estate of Ebenezer Jessup, was read and referred to the Comptroller to report thereon.

A petitioner of Alexander M'Nish, relative to a claim for bounty lands, was read and referred to Mr. Bruyn, Mr. Savage and Mr. Henry.

A petition of Gerrit Sickels, praying a grant of unappropriated land near Kinderhook landing, was read and committed to a committee of the whole House, when on the bill entitled "*An act for the relief of William Cockburn.*"

Mr. Savage, purſuant to notice by him for that purpoſe heretofore given, moved for and obtained leave to bring in a bill entitled "*An act to exempt certain perſons from paying arrears of quit rents,*" which was read the firſt time and ordered a ſecond reading.

Mr. Iſrael Thompſon, from the committee to whom was referred the petition of George Fey, reported in favor of the petitioner, and that a clauſe ſhould be added to ſome proper bill for his relief.

Ordered, That the ſaid committee do prepare and bring in ſuch clauſe.

The Houſe proceeded to the conſideration of the report of the Surveyor-General on the petition of Caleb Brown and others. Thereupon,

Reſolved, (if the Hon. the Senate concur herein) That Caleb Brown and others have leave to preſent to either houſe of the Legiſlature at their next ſeſſion, a bill for veſting in them all the right and title of the people of this State of, in and to the tract of land deſcribed in their petition to this Legiſlature, for ſuch conſideration as the Legiſlature may deem reaſonable and juſt, provided the ſaid petitioners cauſe a copy of this reſolution and the ſaid petition to be previouſly publiſhed for ſix weeks ſucceſſively in the newſpaper printed by the printer to this State, and alſo in one of the newſpapers printed in the city of New-York, to the end that any perſon intereſted therein, may ſhew cauſe if any they have, againſt the paſſing of ſuch bill.

Ordered, That Mr. Boyd and Mr. Brown deliver a copy of the preceding reſolution to the Hon. the Senate.

Mr. Fairlie, from the committee to whom was referred the memorial of James Alner and others, reported, that the ſervices and benefits rendered the public by the memorialiſts, and for which they pray a compenſation, are among thoſe meritorious and patriotic acts of the late glorious revolution, which it is not in the power of the Legiſlature to compenſate. Which report was agreed to by the Houſe.

A meſſage from the Hon. the Senate, delivered by Mr. Gordon and Mr. Graham, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "*An act to amend the act making alterations in the criminal law of this State, and for erecting State Priſons,*" with the amendments therewith delivered.

Ordered, That the conſideration of the ſaid amendments be poſtponed.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Gordon and Mr. Graham, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "*An act concerning the civil relations and eſtates of perſons ſentenced to impriſonment for life.*" The ſaid bill was read the firſt time and ordered a ſecond reading.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Gordon and Mr. Graham, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "*An act repealing an act entitled "An act for granting and ſecuring to John Fitch the ſole right and advantage of making and employing the ſteam-boat by him lately invented, and for other purpoſes,*" without amendment.

Ordered, That Mr. Benton and Mr. Bird deliver the ſaid bill to the Hon the Council of Reviſion.

Mr. Dewey, from the committee to whom was committed the bill entitled "*An act to erect a turnpike corporation for improving the road from the houſe of John Weaver, in Waterviet, to Cherry Valley,*" reported, that the committee had gone through the bill without amendment, which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read.

Thereupon, *Ordered*, That the ſaid bill be recommitted to a committee of the whole Houſe.

Mr. Rice, from the committee to whom was referred the petition of Elizabeth Ripſom, reported in favor of the petitioner, and obtained leave to bring in a bill entitled "*An act for the relief of Elizabeth Ripſom,*" which was read the firſt time and ordered a ſecond reading.

Mr. Rice, from the committee to whom was referred the petition of the Miniſter, Elders and Deacons of the Dutch Congregations in Schoharie, reported in favor of the petitioners, and obtained leave to bring in a bill entitled "*An act for the relief of the Dutch Congregations in the towns of Schoharie and Middleburgh,*" which was read the firſt time and ordered a ſecond reading.

Mr. Metcalfe, from the committee to whom was referred the petition of Elizabeth Kettletas, reported in favor of the petitioner, and obtained leave to bring in a bill entitled "*An act for the relief of Elizabeth Kettletas,*" which was read the first time and ordered a second reading.

Mr. J. Hogeboom, from the committee of the whole House, on the bill entitled "*An act relative to the treasury of this State,*" reported, that in proceeding in the said bill, a clause thereof was read and is in the words following, viz.

"And be it further enacted, That the said Daniel M'Cormick, William W. Gilbert, John Broome, Robert Benson and Nicholas Hoffman, or any three of them, shall cause the plate deposited in the treasury during the late war by the commissioners of sequestration, to be sold at public auction, and pay the proceeds thereof to the present Treasurer of this State for the use of this State."

That Mr. Mason made a motion to insert the words "*at public auction*" after the word "*sold*" in the said clause. That debates were had thereon, and the question being put, whether the committee did agree thereto, it was carried in the affirmative in the manner following, viz.

For the Affirmative.

Mr. Adams,	Mr. Comstock,	Mr. Hunt,	Mr. P. P. Schuyler,
Mr. Arcularius,	Mr. Cornwell,	Mr. Jenkins,	Mr. Skidmore,
Mr. Baldwin,	Mr. Coryell,	Mr. Kane,	Mr. J. Smith,
Mr. Barber,	Mr. De la Montagnie,	Mr. Lee,	Mr. N. Smith,
Mr. J. Barker,	Mr. J. A. De Witt,	Mr. Mason,	Mr Snell,
Mr. T. Barker,	Mr. Fairlie,	Mr. M'Cord,	Mr. Storm,
Mr. W. Barker,	Mr. Fonda,	Mr. M'Neal,	Mr. Speaker,
Mr. Benton,	Mr. Foot,	Mr. Metcalfe,	Mr. Teed,
Mr. Boyd,	Mr. Fort,	Mr. Micheau,	Mr. Ten Broeck,
Mr. Bruyn,	Mr. Gettman,	Mr. Mitchell,	Mr. Jesse Thompson,
Mr. Burling,	Mr. Gray,	Mr. Ogden,	Mr. Israel Thompson,
Mr. Campbell,	Mr. Gregory,	Mr. Pearsall,	Mr Joel Thompson,
Mr. Carman,	Mr. Halsey,	Mr. Potter,	Mr. Van Alstyne,
Mr. Clark,	Mr. Hoag,	Mr. Prince,	Mr. Warner,
Mr. Clift,	Mr. Holly,	Mr. Reeve,	Mr. Wendell,
Mr. Clinton,	Mr. Horton,	Mr. Robins,	Mr. West,
Mr. Coe,	Mr. Hovey,	Mr. Savage,	Mr. Wheeler.

For the Negative.

Mr. Bevier,	Mr. Dewey,	Mr. Howard,	Mr. T. Smith,
Mr. Brown,	Mr. Grifwold,	Mr. Moffet,	Mr. Thomas,
Mr. Burt,	Mr. Hatfield,	Mr. Pride,	Mr. Vandervoort,
Mr. J. C. De Witt,	Mr. K. Hogeboom,	Mr. A. Smith,	Mr. Wood.

Mr. J. Hogeboom further reported, that the committee had gone through the bill, made amendments and added a clause, which he was directed to report to the House, and he read the report in his place and delivered the same in at the table, where it was again read and agreed to by the House.

Ordered, That the bill be engrossed.

Mr. Jenkins, from the committee of the whole House, on the bill entitled "*An act more effectually to prevent the odious and pernicious practice of usury,*" reported, that after the said bill had been read in the committee, Mr. Metcalfe made a motion, that the committee should agree to a substitute in the place of the said bill, which substitute, with its title, is in the words following, viz.

An act supplementary to the act entitled An act relative to usury.

Be it enacted by the people of the State of New-York, represented in Senate and Assembly, That all and every person or persons, who shall, upon any contract, take, accept and receive, by way or means of any corrupt bargain, loan, exchange, chevisance, or interest of any money, wares, or other thing or things whatever, or by any deceitful way or means, or by any covin, or deceitful conveyance, for the use, forbearing, or giving day of payment for one whole year, of and for their money, or other thing, above the sum of seven dollars for the use, or forbearing of one hundred dollars for a year, and so after that rate for a greater or lesser sum, or for a longer or shorter term, shall be deemed guilty of a public offence, and upon conviction, shall forfeit and lose, for every such offence, the value of the money, wares, merchandize and other things so lent, bargained, exchanged, or shifted; and that the person or persons so convicted of said offence, shall stand committed until the said forfeiture is paid.

And be it further enacted, That ſuch offences ſhall, and are hereby made cogniz-
le in the Supreme Court, and in the ſeveral Courts of Oyer and Terminer and
ol Delivery in this State, and the ſeveral Courts of General Seſſions of the Peace:
d it is hereby made the duty of the Judges and Juſtices of the ſaid Courts reſpec-
ely, ſpecially to charge the grand juries, ſworn in any of the ſaid Courts in which
ey reſpectively ſit and preſide, as to all commiſſions of the aforeſaid offence.

And be it further enacted, That the ſecond ſection of the act hereby amended,
all, from and after the paſſing of this act, be, and hereby is repealed.

And be it further enacted, That all premiums, bonds of indemnity, contracts, or
her ſecurities of any kind, be hereafter made or given by any perſon or perſons,
r, or in conſideration, either directly or indirectly, to indemnify any perſon or
rſons from any conviction or convictions, penalty or penalties, preſcribed by this
, ſhall be altogether null and void.

That the queſtion being put, whether the committee did agree to the ſubſtitute
opoſed by the motion of Mr. Metcalfe, it was carried in the affirmative.

That in proceeding in the ſaid ſubſtitute, the 1ſt clauſe thereof was again read; that
r. Fairlie made a motion, that the committee ſhould agree to reject the ſame, and
e queſtion being put thereon, it was carried in the affirmative in the manner fol-
wing, viz.

For the Affirmative.

Mr. Adams,	Mr. Coe,	Mr. K. Hogeboom,	Mr. Prince,
Mr. Barber,	Mr. De la Montagnie,	Mr. Holly,	Mr. Reeve,
Mr. T. Barker,	Mr. J. C. De Witt,	Mr. Horton,	Mr. Robins,
Mr. Benton,	Mr. Dewey,	Mr. Hovey,	Mr. Savage,
Mr. Boyd,	Mr. Fairlie,	Mr. Howard,	Mr. Skidmore,
Mr. Brown,	Mr. Fort,	Mr. Hunt,	Mr. T. Smith,
Mr. Bruyn,	Mr. Gray,	Mr. M'Cord,	Mr. J. Smith,
Mr. Burling,	Mr. Griſwold,	Mr. M'Neal,	Mr. Speaker,
Mr. Burt,	Mr. Halſey,	Mr. Mitchell,	Mr. Van Alſtyne,
Mr. Campbell,	Mr. Hatfield,	Mr. Moffet,	Mr. Verplank,
Mr. Carman,	Mr. Heermance,	Mr. Ogden,	Mr. Wood. 47
Mr. Clinton,	Mr. J. Hogeboom,	Mr. Potter,	

For the Negative.

Mr. Arcularius,	Mr. Coryell,	Mr. Metcalfe,	Mr. Ten Broeck,
Mr. Baldwin,	Mr. J. A. De Witt,	Mr. Morſe,	Mr. Iſrael Thompſon,
Mr. J. Barker,	Mr. Fonda,	Mr. Pride,	Mr. Joel Thompſon,
Mr. W. Barker,	Mr. Foot,	Mr. P. P. Schuyler,	Mr. Jeſſe Thompſon,
Mr. Bevier,	Mr. Gettman,	Mr. A. Smith,	Mr. Vosburgh,
Mr. Bowen,	Mr. Gregory,	Mr. N. Smith,	Mr. Warner,
Mr. Clark,	Mr. Henry,	Mr. Snell,	Mr. Wendell,
Mr. Clift,	Mr. Hoag,	Mr. Storm,	Mr. Weſt,
Mr. Comſtock,	Mr. Lee,	Mr. Teed,	Mr. Wheeler. 37
Mr. Cornwell,			

Which he was directed to report to the Houſe, and he read the report in his place
nd delivered the ſame in at the table, where it was again read and agreed to by the
Houſe. Thereupon,

Reſolved, That the ſaid bill be, and the ſame is hereby rejected.

Then the Houſe adjourned until ten o'clock to-morrow morning.

Thurſday, ten o'clock, A. M. March 15th, 1798.

The engroſſed bill entitled "*An act relative to the treaſury of this State,*" was read the
hird time.

Reſolved, That the bill do paſs.

Ordered, That Mr. Bowman and Mr. Boyd deliver the bill to the Hon. the Senate
nd requeſt their concurrence.

The bill entitled "*An act concerning the civil relations and eſtates of perſons ſentenced to
mpriſonment for life,*" the bill entitled "*An act for the relief of the Dutch Congregations
n the towns of Schoharie and Middleburgh,*" the bill entitled "*An act for the relief of
Elizabeth Ripſom,*" the bill entitled "*An act for the relief of Elizabeth Kettletas,*" and the
ill entitled "*An act to exempt certain perſons from paying arrears of quit rents,*" were
everally read the ſecond time and committed to a committee of the whole Houſe.

A meſſage from the Hon. the Senate, delivered by Mr. Graham and Mr. Haight,
ith the bill therein mentioned, was read, that the Senate have paſſed the bill enti-
led "*An act to incorporate the Fire-Men of the city of New-York,*" with the amendments
herewith delivered. The bill and amendments were read, and the amendments be-

ing read the ſecond time, were concurred in by the Houſe and the bill amend accordingly.

Ordered, That Mr. Boyd and Mr. Brown deliver the bill to the Hon. the Senat and inform them that this Houſe have concurred in their amendments and ha amended the bill accordingly.

Mr. Clinton, from the ſelect committee to whom was committed the bill entitle "*An act for the relief of Clement Saidler*," reported, that the committee had gone thro the bill, and filled up the blank, which he was directed to report to the Houſe, and he read the report in his place and delivered the ſame in at the table, where it wa again read and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

A petition of Lyman and Marvel Ellis, praying pecuniary aid from the Legiſlatur for erecting a bridge over Salmon Creek, near Lake Ontario, was read, and referr to Mr. Iſrael Thompſon, Mr. J. Barker and Mr. Pearſall.

A petition of William Keating, of the city of Albany, relative to certain lots o land in the townſhip of Benſon, purchaſed by him at the Surveyor-General's ſales i July, 1796, was read, and referred to Mr. Bird, Mr. Teed and Mr. Wheeler.

Mr. Benton, from the committee to whom was referred the petition of the inhabitants of Curryſbuſh, reported in favor of the petitioners, and obtained leave to bri in a bill entitled "*An act to erect Curryſbuſh, or the patent granted to John Curry, together with the church land adjoining to the patent of Schenectady on the ſouth ſide of the Mohaw river, into a ſeparate town*," which was read the firſt time and ordered a ſecond read ing. By unanimous conſent the ſaid bill was read a ſecond time and committed t a committee of the whole Houſe.

Ordered, That the committee of the whole Houſe be diſcharged from the further conſideration of the ſaid bill, and that the ſame be committed to a ſelect committe conſiſting of Mr. Benton, Mr. Prince and Mr. A. Smith.

The Houſe proceeded to the conſideration of the amendments of the Hon. the Senate, to the bill entitled "*An act to amend the act making alterations in the criminal law of this State, and for erecting State Priſons;*" one of the ſaid amendments was to add a clauſe after the 9th clauſe, in the words following, viz.

"And be it further enacted, That every perſon who ſhall hereafter be guilty of wilfully and malicioufly burning any dwelling-houſe within this State, and every perſon who ſhall aid, abet, counſel, aſſiſt, hire or command any perſon or perſons to commit the ſaid offence, and be thereof duly convicted, ſhall ſuffer death for the ſame, and ſhall be hanged by the neck until he or ſhe ſhall be dead."

Mr. Speaker put the queſtion, whether the Houſe did concur with the Hon. the Senate in the ſaid amendment, and it paſſed in the negative in the manner following, viz.

For the Negative.

Mr. Adams,	Mr. J. A. De Witt,	Mr. Kane,	Mr. P. P. Schuyler,
Mr. Barber,	Mr. Dewey,	Mr. Lee,	Mr. Skidmore,
Mr. J. Barker,	Mr. Foot,	Mr. Maſon,	Mr. T. Smith,
Mr. T. Barker,	Mr. Fort,	Mr. M'Cord,	Mr. J. Smith,
Mr. W. Barker,	Mr. Gettman,	Mr. Metcalfe,	Mr. N. Smith,
Mr. Benton,	Mr. Gregory,	Mr. Micheau,	Mr. Snell,
Mr. Bevier,	Mr. Griſwold,	Mr. Moffet,	Mr. Thomas,
Mr. Bowen,	Mr. Hatfield,	Mr. Ogden,	Mr. Jeſſe Thompſon,
Mr. Bruyn,	Mr. Hoag,	Mr. Pearſall,	Mr. Iſrael Thompſon,
Mr. Burt,	Mr. J. Hogeboom,	Mr. Potter,	Mr. Van Alſtyne,
Mr. Carman,	Mr. K. Hogeboom,	Mr. Prince,	Mr. Verplank,
Mr. Clark,	Mr. Holly,	Mr. Pride,	Mr. Voſburgh,
Mr. Clifft,	Mr. Horton,	Mr. Reeve,	Mr. Wendell,
Mr. Comſtock,	Mr. Hovey,	Mr. Savage,	Mr. Wheeler.
Mr. Coryell,			

For the Affirmative.

Mr. Arcularius,	Mr. Coe,	Mr. M'Farlan,	Mr. Storm,
Mr. Boyd,	Mr. De la Montagnie,	Mr. M'Neal,	Mr. Teed,
Mr. Brown,	Mr. Fairlie,	Mr. Mitchell,	Mr. Vandervoort,
Mr. Burling,	Mr. Gray,	Mr. Morſe,	Mr. Warner,
Mr. Campbell,	Mr. Howard,	Mr. Robins,	Mr. Weſt,
Mr. Clinton,	Mr. Hunt,	Mr. A. Smith,	Mr. Wood.

Another of the ſaid amendments was to add the following at the end of the 16th clauſe of the bill:

"And if there ſhould not be money in the treaſury ſufficient to pay any ſuch rrant, then, and in every ſuch caſe, it ſhall be lawful for the Comptroller from me to time to borrow a ſum ſufficient for the purpoſe in the manner directed by e "Act for appointing a Comptroller in this State."

Mr. Speaker put the queſtion, whether the Houſe did concur with the Hon. the enate in their ſaid amendment, and it was carried in the affirmative in the manner llowing, viz.

For the Affirmative.

Mr. Adams,	Mr. Fairlie,	Mr. Maſon,	Mr. T. Smith,
Mr. Arcularius,	Mr. Foot,	Mr. M'Farlan,	Mr. N. Smith,
Mr. T. Barker,	Mr. Gray,	Mr. M'Neal,	Mr. Storm,
Mr. W. Barker,	Mr. Halſey,	Mr. Mitchell,	Mr. Teed,
Mr. Bevier,	Mr. Henry,	Mr. Moſſet,	Mr. Iſrael Thompſon,
Mr. Boyd,	Mr. K. Hogeboom,	Mr. Morſe,	Mr. Joel Thompſon,
Mr. Brown,	Mr. Holly,	Mr. Ogden,	Mr. Vandervoort,
Mr. Burling,	Mr. Hovey,	Mr. Potter,	Mr. Verplank,
Mr. Clinton,	Mr. Howard,	Mr. Prince,	Mr. Warner,
Mr. Coe,	Mr. Hunt,	Mr. Pride,	Mr. Weſt,
Mr. Coryell,	Mr. Jenkins,	Mr. Robins,	Mr. Williamſon,
Mr. De la Montagnie,	Mr. Kane,	Mr. A. Smith,	Mr. Wood. 48

For the Negative.

Mr. Barber,	Mr. Comſtock,	Mr. Hoag,	Mr. P. P. Schuyler,
Mr. J. Barker,	Mr. J. A. De Witt,	Mr. J. Hogeboom,	Mr. Skidmore,
Mr. Benton,	Mr. J. C. De Witt,	Mr. Horton,	Mr. J. Smith,
Mr. Bowen,	Mr. Dewey,	Mr. Lee,	Mr. Snell,
Mr. Bowman,	Mr. Fonda,	Mr. M'Cord,	Mr. Ten Broeck,
Mr. Bruyn,	Mr. Fort,	Mr. Metcalfe,	Mr. Thomas,
Mr Burr,	Mr. Gettman,	Mr. Micheau,	Mr. Jeſſe Thompſon,
Mr. Burt,	Mr. Gregory,	Mr. Pearſall,	Mr. Van Alſtyne,
Mr. Campbell,	Mr. Griſwold,	Mr. Reeve,	Mr. Vosburgh,
Mr. Carman,	Mr. Hatfield,	Mr. Savage,	Mr. Wendell,
Mr. Clark,	Mr. Heermance,	Mr. P. I. Schuyler,	Mr. Wheeler. 45
Mr. Clifft,			

Mr. Burr, from the ſelect committee to whom was committed the bill entitled "*An act concerning Conſtables and Collectors,*" reported, that in their opinion, the three firſt nd the laſt clauſes of the ſaid bill ought to be expunged, and the title altered to ead as follows, "*An act ſupplementary to the act for dividing the counties of this State into owns.*" Thereupon,

Ordered, That the ſaid report, together with the ſaid bill and amendments, be committed to a committee of the whole Houſe.

Mr. Kane, purſuant to notice by him for that purpoſe heretofore given, moved for nd obtained leave to bring in a bill entitled "*An act to amend an act entitled "An act for dividing the counties of this State into towns ;*" the ſaid bill was read the firſt time nd ordered a ſecond reading.

By unanimous conſent the ſaid bill was read the ſecond time and committed to a committee of the whole Houſe, when on the bill entitled "*An act concerning Conſtables and Collectors.*"

A meſſage from the Hon. the Council of Reviſion, delivered by the Hon. the Chief Juſtice, was read, that it does not appear improper to the Council that the bill entitled "*An act for dividing the counties of Herkemer and Tioga,*" ſhould become a law of this State.

Mr. Wood, from the joint committee appointed by the concurrent reſolutions of the Senate and Aſſembly of the 27th of February laſt, reported, That in their opinion the revenue of this State will not, in the preſent year, be much if any thing more than ſufficient to defray the ordinary expenſes of government; and therefore ſome other means ought to be provided to diſcharge the appropriations to be made the preſent ſeſſion; the extent of them cannot yet be aſcertained, but there is reaſon to believe they will exceed 100,000 dollars.

The ſum now in the treaſury is about 16,000 dollars, which with the intereſt payable the firſt of April next, on the debt due from the Bank of New-York, and on the three per cent ſtock, will probably be ſufficient to diſcharge the expenſe of the Legiſlature upon the preſent eſtabliſhment, but if any addition is made, the money muſt be borrowed to pay it. An additional allowance equal to that of the laſt ſeſſion will require upwards of 30,000 dollars.

There remain due 48,000 dollars of the principal of the money borrowed in the laſt year for building the State Priſon. It is ſuppoſed that the arrears of quit rents will be ſufficient to repay the money due on that loan.

The only means that occur to the committee to repay the money to be borrowed in the preſent year, are either to raiſe it by tax, or to ſell a part of the ſtock belonging to the State for that purpoſe; the latter in the opinion of the committee would be attended with a heavy loſs and ruinous in its conſequences to the State; the committee are therefore of opinion that it would be proper to raiſe by tax in the preſent year, a ſum ſufficient at leaſt to finiſh the State Priſon and the public building in the city of Albany. The committee beg leave to obſerve that the act for the encouragement of ſchools was paſſed upon a ſuppoſition that the revenue would be ſufficient to pay the money appropriated by it after deducting the expenſes of the government; but as the revenue is not ſufficient for that purpoſe, including ſuch additional allowances as have been made the two laſt ſeſſions, they ſubmit whether it would not be proper to repeal the act.

Ordered, That the conſideration of the ſaid report be poſtponed.

Mr. Griſwold made a motion that the Houſe ſhould agree to reconſider their determination of concurring with the Hon. the Senate in their amendment to the 16th clauſe of the bill entitled "*An act to amend the act making alterations in the criminal law of this State, and for erecting State Priſons.*" Mr. Speaker put the queſtion whether the Houſe did agree to the motion of Mr. Griſwold, and it was carried in the affirmative.

The ſaid amendment was again read and conſidered, and debates had thereon; Mr. Speaker then put the queſtion whether the Houſe did concur in the ſaid amendment, and it paſſed in the negative in the manner following, viz.

For the Negative.

Mr. Adams,	Mr. J. A. De Witt,	Mr. Kane,	Mr. P. P. Schuyler,
Mr. Barber,	Mr. Dewey,	Mr. Lee,	Mr. Skidmore,
Mr. J. Barker,	Mr. Foot,	Mr. Maſon,	Mr. T. Smith,
Mr. T. Barker,	Mr. Fort,	Mr. M'Cord,	Mr. J. Smith,
Mr. W. Barker,	Mr. Gettman,	Mr. Metcalfe,	Mr. N. Smith,
Mr. Benton,	Mr. Gregory,	Mr. Micheau,	Mr. Snell,
Mr. Bevier,	Mr. Griſwold,	Mr. Moffet,	Mr. Thomas,
Mr. Bowen,	Mr. Hatfield,	Mr. Ogden,	Mr. Jeſſe Thompſon,
Mr. Bruyn,	Mr. Hoag,	Mr. Pearſall,	Mr. Iſrael Thompſon,
Mr. Burt,	Mr. J. Hogeboom,	Mr. Potter,	Mr. Van Alſtyne,
Mr. Carman,	Mr. K. Hogeboom,	Mr. Prince,	Mr. Verplank,
Mr. Clark,	Mr. Holly,	Mr. Pride,	Mr. Voſburgh,
Mr. Clifft,	Mr. Horton,	Mr. Reeve,	Mr. Wendell,
Mr. Comſtock,	Mr. Hovey,	Mr. Savage,	Mr. Wheeler. 57
Mr. Coryell,			

For the Affirmative.

Mr. Arcularius,	Mr. Coe,	Mr. M'Farlan,	Mr. Storm,
Mr. Boyd,	Mr. De la Montagnie,	Mr. M'Neal,	Mr. Teed,
Mr. Brown,	Mr. Fairlie,	Mr. Mitchell,	Mr. Vandervoort,
Mr. Burling,	Mr. Gray,	Mr. Morſe,	Mr. Warner,
Mr. Campbell,	Mr. Howard,	Mr. Robins,	Mr. Weſt,
Mr. Clinton,	Mr. Hunt,	Mr. A. Smith,	Mr. Wood. 24

Thereupon, *Reſolved*, That this Houſe do concur with the Hon. the Senate in their amendments to the ſaid bill, which are for that purpoſe deſignated in the margin of the ſaid amendments, and do not concur in their other amendments.

Ordered, That Mr. Bruyn and Mr. Burr deliver the bill, amendments and a copy of the preceding reſolution to the Hon. the Senate.

Reſolved, That the Secretary of this State be, and he is hereby directed to cauſe to be printed by the Printer of this State, 150 copies of the act entitled "*An act to divide the counties of Herkemer and Tioga,*" and deliver the ſame when printed to the Members of this Houſe from thoſe counties to be diſtributed among the inhabitants thereof.

Mr. Metcalfe, from the committee to whom was referred the petition of John Morgan and others, reported in favor of the petitioners, and obtained leave to bring in a bill entitled "*An act for the relief of John Morgan and other perſons therein named,*" which was read the firſt time and ordered a ſecond reading.

Mr. Metcalfe, from the committee to whom was referred the petition of Jonathan Danforth and others, reported in favor of the petitioners, and obtained leave to bring

n a bill entitled "*An act for the relief of Jonathan Danforth, Abraham Lawyer and thers,*" which was read the firſt time and ordered a ſecond reading.

The Hon. the Senate returned by Mr. Hatfield and Mr. Hitchcock, the bill enti-led "*An act to incorporate the Fire-Men of the city of New-York.*"

Ordered, That Mr. Brown and Mr. Bruyn deliver the bill to the Hon. the Council f Reviſion.

Mr. Clinton, from the committee of the whole Houſe on the bill entitled "*An act or opening the navigation between Lake Erie and Lake Ontario,*" reported progreſs.

Thereupon, *Ordered*, That the committee of the whole Houſe be diſcharged from he further conſideration of the ſaid bill, and that the ſame be committed to a ſelect ommittee conſiſting of Mr. Burr, Mr. Maſon, Mr. Brown, Mr. Halſey and Mr. Howard.

Mr. Wood, from the committee to whom was referred the memorial of Coll M'Gregor, of the city of New-York, merchant, reported, that in the opinion of the ommittee it would be inexpedient for this State to accede to the propoſals of the emorialiſt. Which report was agreed to by the Houſe.

Mr. Wendell, from the committee appointed to take into conſideration that part of is Excellency the Governor's ſpeech relative to the erection of arſenals and preſer-ation of military ſtores, reported, that in the opinion of the committee, a proper uilding ſufficient to ſecure and preſerve the field artillery and ſmall arms belonging o this State ſhould be erected in the city of New-York or its vicinity, and that the um of three thouſand dollars ſhould be appropriated for that purpoſe.

Ordered, That the conſideration of the ſaid report be poſtponed.

Mr. M'Neal, purſuant to notice by him for that purpoſe heretofore given, moved he following reſolution, viz.

Reſolved, (if the Hon. the Senate concur herein) That the Legiſlature will adjourn n the day of

Ordered, That the conſideration thereof be poſtponed until Tueſday next.

Mr. Jenkins, from the committee of the whole Houſe, on the bill entitled "*An act elative to the lots of land reſerved for the ſupport of the goſpel and ſchools, and for the pro-otion of literature, in the military tract in the county of Onondaga,*" reported progreſs, and btained leave to ſit again.

On motion of Mr. Clinton,

Reſolved, That this Houſe will, after to-day, aſſemble twice a day, to wit, at nine 'clock in the forenoon, and at three o'clock in the afternoon, for the diſpatch of uſineſs.

Then the Houſe adjourned until nine o'clock to-morrow morning.

Friday, nine o'clock, A. M. March 16th, 1798.

The engroſſed bill entitled "*An act for the relief of Clement Sadlier,*" was read the ird time.

Reſolved, That the bill do paſs.

Ordered, That Mr. Bruyn and Mr. Burr deliver the bill to the Hon. the Senate, nd requeſt their concurrence.

The bill entitled "*An act for the relief of John Morgan and other perſons therein nam-d,*" and the bill entitled "*An act for the relief of Jonathan Danforth, Abraham Lawyer nd others,*" were ſeverally read the ſecond time and committed to a committee of the hole Houſe.

A petition of William Street and Martha Street, and a petition of Thomas Agate nd others, aliens, ſeverally praying to be enabled by law to purchaſe and hold real ſtates within this State, were read, and committed to a committee of the whole Houſe hen on the bill entitled "*An act to enable certain perſons therein named to purchaſe and old real eſtates within this State.*"

A petition of Benjamin Wells, of the town of Milton, in the county of Saratoga, raying a grant of vacant lands near the Indian town of Tonawanda, forty miles from he Geneſee river, was read, and committed to a committee of the whole Houſe when n the bill entitled "*An act to amend the act entitled "An act for the further ſale of the appropriated lands of this State.*"

On motion of Mr. Burr,

Reſolved, That on every Tueſday, immediately after the ordinary buſineſs ſhall be

gone through, the ſelect committees of more than four days ſtanding from whom no final report ſhall have been received, ſhall be called over by the Clerk in the order of their dates, and the chairman of each ſhall in his place inform the Houſe of the progreſs made in the buſineſs to them reſpectively referred.

Mr. Benton, from the committee of the whole Houſe on the bill entitled "*An act further to amend the act entitled "An act to organize the militia of this State,*" reported, that in proceeding in the ſaid bill a clauſe thereof was read and is in the words following, viz.

And be it further enacted, That ſo much of the third ſection of the act entitled "An act to organize the militia of this State," paſſed the ninth day of March, 1796, as directs that the militia ſhall rendezvous by regiments and companies within their reſpective beats, and ſo much of the ſixth ſection of the act aforeſaid, as directs that all fines when collected, ſhall be paid to ſuch perſon as the commanding officer of the brigade ſhall appoint for that purpoſe, and the twentieth ſection of an act entitled "An act for the payment of certain officers of government, and other contingent expenſes," paſſed the 27th day of March, 1794, and ſo much of the act entitled "An act to amend the act to organize the militia of this State," paſſed the 11th day of April, 1796, as directs the payment of fifty dollars per annum to the brigade Inſpect. or, out of the fines collected in ſuch brigade; alſo ſo much of the laſt mentioned act as makes it the duty of the collectors of the wards and towns within this State, when they have collected the exemption money therein mentioned, to pay the ſame to the perſon appointed by the brigadier-general, for the uſe of the uniform troops, and ſo much of the above recited act as exempts any part of the militia of this State from ſerving on any grand or petit jury, and is in contravention of this act, be, and the ſame are hereby repealed.

That a motion was made that the committee ſhould agree to expunge from the ſaid clauſe the following words, viz. "and ſo much of the above recited act as exempts any part of the militia of this State from ſerving on any grand or petit jury;" that the queſtion being put whether the committee did agree thereto, it paſſed in the negative in the manner following, viz.

For the Negative.

Mr. Barber,	Mr. Fairlie,	Mr. Maſon,	Mr. Snell,
Mr. Bowen,	Mr. Fort,	Mr. M'Cord,	Mr. Storm,
Mr. Bowman,	Mr. Gettman,	Mr. Micheau,	Mr. Speaker,
Mr. Brown,	Mr. Hall,	Mr. Miller,	Mr. Thomas,
Mr. Bruyn,	Mr. Hatfield,	Mr. Mitchell,	Mr. Jeſſe Thompſon,
Mr. Burling,	Mr. Heermance,	Mr. Pride,	Mr. Iſrael Thompſon,
Mr. Carman,	Mr. Hoag,	Mr. Reeve,	Mr. Joel Thompſon,
Mr. Clark,	Mr. K. Hogeboom,	Mr. Savage,	Mr. Vandervoort,
Mr. Clinton,	Mr. Horton,	Mr. P. P. Schuyler,	Mr. Verplank,
Mr. Coe,	Mr. Howard,	Mr. T. Smith,	Mr. Williamſon,
Mr. Comſtock,	Mr. Jenkins,	Mr. N. Smith,	Mr. Wood. 46
Mr. J. C. De Witt,	Mr. Lee,		

For the Affirmative.

Mr. Adams,	Mr. De la Montagnie,	Mr. Kane,	Mr. Skidmore,
Mr. J. Barker,	Mr. Dewey,	Mr. M'Parlan,	Mr. A. Smith,
Mr. T. Barker,	Mr. Fonda,	Mr. M'Neal,	Mr. J. Smith,
Mr. W. Barker,	Mr. Foot,	Mr. Metcalfe,	Mr. Teed,
Mr. Bevier,	Mr. Gray,	Mr. Moffet,	Mr. Ten Broeck,
Mr. Boyd,	Mr. Gregory,	Mr. Morſe,	Mr. Van Alſtyne,
Mr. Burt,	Mr. Halſey,	Mr. Ogden,	Mr. Voſburgh,
Mr. Campbell,	Mr. Henry,	Mr. Pearſall,	Mr. Wendell,
Mr. Clifft,	Mr. J. Hogeboom,	Mr. Potter,	Mr. Weſt,
Mr. Coryell,	Mr. Hovey,	Mr. Robins,	Mr. Wheeler, 41
Mr. Deitz,	Mr. Hunt,		

That a motion was made that the committee ſhould agree to reconſider the queſtion on expunging the following words from the before recited clauſe, "and ſo much of the above recited act as exempts any part of the militia of this State from ſerving on any grand or petit jury," that the queſtion being put whether the committee did agree to the ſaid motion, it was carried in the affirmative. That thereupon Mr. Metcalfe made a motion that the committee ſhould agree to expunge the ſaid words; that

ebates were had thereon, and the queſtion being put whether the committee did gree to the motion of Mr. Metcalfe, it was carried in the affirmative.

That in proceeding further in the ſaid bill, Mr. Maſon made a motion that the ommittee ſhould agree to add a clauſe in the words following, viz.

"And be it further enacted, That any non-commiſſioned officer or dragoon beonging to any company of cavalry, who ſhall procure a certificate from the comanding officer of ſuch company that he is ſo enrolled and equipped, ſhall be exmpted from ſerving on any grand or petit jury."

That debates were had thereon, and the queſtion being put whether the committee did agree thereto, it paſſed in the negative in the manner following, viz.

For the Negative.

Mr. Arcularius,	Mr. Cornwell,	Mr. Hovey,	Mr. J. Smith,
Mr. Barber,	Mr. Coryell,	Mr. Howard,	Mr. N. Smith,
Mr. T. Barker,	Mr. J. A. De Witt,	Mr. Lee,	Mr. Snell,
Mr. W. Barker,	Mr. J. C. De Witt,	Mr. Metcalfe,	Mr. Storm,
Mr. Bird,	Mr. Dewey,	Mr. Micheau,	Mr. Teed,
Mr. Bevier,	Mr. Foot,	Mr. Miller,	Mr. Thomas,
Mr. Bowen,	Mr. Fort,	Mr. Moffet,	Mr. Jeſſe Thompſon,
Mr. Boyd,	Mr. Gray,	Mr. Ogden,	Mr. Iſrael Thompſon,
Mr. Brown,	Mr. Gregory,	Mr. Pearſall,	Mr. Joel Thompſon,
Mr. Bruyn,	Mr. Griſwold,	Mr. Potter,	Mr. Van Alſtyne,
Mr. Burling,	Mr. Halſey,	Mr. Pride,	Mr. Voſburgh,
Mr. Burt,	Mr. Hatfield,	Mr. Reeve,	Mr. Weſt,
Mr. Carman,	Mr. Hoag,	Mr. P. P. Schuyler,	Mr. Wheeler,
Mr. Clark,	Mr. J. Hogeboom,	Mr. A. Smith,	Mr. Wood. 58
Mr. Coe,	Mr. Holly,		

For the Affirmative.

Mr. Adams,	Mr. Gettman,	Mr. Maſon,	Mr. Skidmore,
Mr. J. Barker,	Mr. Hall,	Mr. M'Cord,	Mr. T. Smith,
Mr. Campbell,	Mr. Heermance,	Mr. M'Neal,	Mr. Speaker,
Mr. Clifft,	Mr. Henry,	Mr. Mitchell,	Mr. Vandervoort,
Mr. Clinton,	Mr. K. Hogeboom,	Mr. Morſe,	Mr. Verplank,
Mr. Deitz,	Mr. Hunt,	Mr. Robins,	Mr. Warner,
Mr. De la Montagnie,	Mr. Jenkins,	Mr. Savage,	Mr. Wendell,
Mr. Fairlie,	Mr. Kane,	Mr. P. I. Schuyler,	Mr. Williamſon. 33
Mr. Fonda,			

Mr. Benton further reported, that the committee had gone through the bill, made mendments and added clauſes, which he was directed to report to the Houſe, and he ad the report in his place and delivered the ſame in at the table, where it was gain read and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

A meſſage from the Hon. the Senate, delivered by Mr. Hitchcock and Mr. Jones, ith the bill entitled "*An act to amend the act making alterations in the crminal law of is State, and for erecting State Priſons;*" together with a reſolution that they do adere to their amendments to the bill not concurred in by this Houſe.

Ordered, That the reconſideration of the ſaid reſolution of non-concurrence be oſtponed.

A copy of a reſolution of the Hon. the Senate, alſo delivered by Mr. Hitchcock d Mr. Jones, was read, that the Senate do concur with this Houſe in their reſoluon as entered on the journals on the 14th inſtant, relative to granting leave to Caleb rown and others to preſent a bill to either houſe of the Legiſlature at their next ſſion for the purpoſes ſet forth in their petition.

A copy of a reſolution of the Hon the Senate, delivered by Mr. Hitchcock and r. Jones, was read, and is in the words following, viz.

Reſolved, (if the Hon. the Aſſembly concur herein) That the Attorney-General nſe a proper writ to be iſſued to enquire whether lot No. 55, in the townſhip of to, in the county of Onondaga, is not eſcheated to the people of this State by the ath of John Conner, without heirs, and cauſe the ſame to be executed in due form law, and that he report the proceedings thereon to the Legiſlature at the next ſſion.

Reſolved, That this Houſe do concur with the Hon. the Senate, in their ſaid preceding reſolution.

Ordered, That Mr. Burling and Mr. Burt deliver a copy of the preceding concurrent reſolution to the Hon. the Senate.

A meſſage from the Hon. the Senate, delivered by Mr. Jones and Mr. L'Hommedieu, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "*An act relative to the treaſury of this State*," with the amendments therewith delivered. Which were read and concurred in by the Houſe.

Ordered, That Mr. Burt and Mr. Campbell deliver the bill to the Hon. the Senate, and inform them that this Houſe have concurred in their amendments to the bill, and have amended the ſame accordingly.

Then the Houſe adjourned until three o'clock this afternoon.

Three o'clock, P. M.

The Houſe met purſuant to adjournment.

The Houſe proceeded to the reconſideration of their reſolution of non-concurrence to the amendments propoſed by the Hon. the Senate to the bill entitled "*An act to amend the act making alterations in the criminal law of this State and for erecting State Priſons.*" Thereupon,

Reſolved, That this Houſe do adhere to their reſolution of non-concurrence to the ſaid amendments.

Reſolved, That a conference be held with the Hon. the Senate on Tueſday next, at 3 o'clock, P. M. at ſuch place as they ſhall pleaſe to appoint, on their amendments to the bill entitled "*An act to amend the act making alterations in the criminal law of this State, and for erecting State Priſons*," and that Mr. Burr, Mr. Bird and Mr. Griſwold be a committee to manage the ſaid conference on the part of this Houſe.

Ordered, That Mr. Burt and Mr. Campbell deliver a copy of the preceding reſolution to the Hon. the Senate.

A meſſage from the Hon. the Council of Reviſion, delivered by the Hon. Mr. Juſtice Benſon, was read, that it does not appear improper to the Council that the bill entitled "*An act to divide the town of Saratoga, and for other purpoſes*," the bill entitled "*An act for the appointment of a Treaſurer*," the bill entitled "*An act to amend the act entitled "An act to regulate highways,"* and the bill entitled "*An act ſupplementary to the act entitled "An act for the regulation of pilots and pilotage for the port of New-York, and for other purpoſes therein mentioned,"* ſhould ſeverally become laws of this State.

Mr. Wood, purſuant to notice by him for that purpoſe heretofore given, moved for and obtained leave to bring in a bill entitled "*An act to cede the juriſdiction of a certain tract of land on Eaton's Neck, to the United States*," which was read the firſt time and ordered a ſecond reading.

Mr. Wheeler, from the committee to whom was referred the petition of John Lawrence and others, reported againſt the prayer thereof, which report was agreed to by the Houſe.

Mr. Bevier, from the committee to whom was referred the petition of the inhabitants of the town of Woodſtock, reported in favor of the petitioners, and obtained leave to bring in a bill entitled "*An act to divide the town of Woodſtock, in the county of Ulſter*," the ſaid bill was read the firſt time and ordered a ſecond reading.

By unanimous conſent the ſaid bill was read a ſecond time, and committed to a ſelect committee conſiſting of the Members attending in this Houſe from the county of Ulſter.

Mr. Wheeler, from the committee to whom was referred the petition of Hopkins Greene and others, reported againſt the prayer thereof, which report was agreed to by the Houſe.

A petiton of Lewis Kniffin and others, of the county of Weſtcheſter, relative to the regulation of ferries, and alſo relative to the law for preventing the exportation of unmerchantable flour, and the falſe tareing of bread and flour caſks, was read and referred to Mr. Teed, Mr. Burling and Mr. Hall.

Mr. Maſon, from the committee of the whole Houſe on the bill entitled "*An act for making, improving and keeping in repair the public roads and bridges in the counties therein mentioned*," reported, that the committee had gone through the bill and made

nendments thereto, which he was directed to report to the Houſe, and he read the port in his place and delivered the ſame in at the table, where it was again read and greed to by the Houſe.

Ordered, That the bill be engroſſed.

Mr. Bevier, from the ſelect committee to whom was committed the bill entitled *An act to divide the town of Woodſtock, in the county of Ulſter*," reported that the committee had gone through the bill without amendment, which he was directed to report to the Houſe, and he read the report in his place and delivered the ſame in at e table, where it was again read and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

Mr. Jenkins, from the committee of the whole Houſe on the bill entitled "*An act provide againſt infectious and peſtilential diſeaſes*," reported, that the committee had one through the bill, made amendments, added clauſes and filled up the blanks, hich he was directed to report to the Houſe, and he read the report in his place nd delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

Ordered, That it be the order of the day on Tueſday next, for this Houſe to reſolve ſelf into a committee of the whole Houſe on the bill entitled "*An act regulating the berties of gaols.*"

Then the Houſe adjourned until nine o'clock to-morrow morning.

Saturday, nine o'clock, A. M. March 17th, 1798.

The engroſſed bill entitled "*An act further to amend the act entitled "An act to organze the militia of this State*," was read the third time.

Reſolved, That the bill do paſs.

The engroſſed bill entitled "*An act to divide the town of Woodſtock, in the county of Ulter*," was read the third time.

Reſolved, That the bill do paſs.

Ordered, That Mr. Clifft and Mr. Clinton deliver the two laſt mentioned bills to he Hon. the Senate, and requeſt their concurrence.

The bill entitled "*An act to cede the juriſdiction of a certain tract of land on Eaton's Neck to the United States*," was read the ſecond time and committed to a committee of he whole Houſe.

Mr. M'Neal, from the ſelect committee to whom was committed the bill entitled "*An act to veſt certain powers in the freeholders and inhabitants of the village called Old Fort Schuyler*," reported, that the committee had gone through the bill, made amendments and added a clauſe, which he was directed to report to the Houſe, and he read he report in his place and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

Mr. Hall, from the committee to whom was referred the petition of John Stoyell nd others, reported, that the prayer of the petitioners is already provided for by the he third enacting clauſe of an act entitled "*An act for improving certain great roads within this State*," paſſed 28th March, 1797; which report was agreed to by the Houſe.

Mr. Bruyn, from the committee to whom was referred the petition of Myndert Wemple, reported againſt the prayer thereof; which report was agreed to by the Houſe.

Mr. Maſon, in behalf of Mr. Williamſon, from the ſelect committee to whom was committed the bill entitled "*An act for erecting part of the counties of Ulſter and Orange into a ſeparate county*," reported, that the committee had gone through the bill without amendment, which he was directed to report to the Houſe, and he read the report in his place and delivered the ſame in at the table, where it was again read.

A motion was made, that the ſaid bill be recommitted to a committee of the whole Houſe; Mr. Speaker put the queſtion, whether the Houſe did agree thereto, and it was carried in the affirmative in the manner following, viz.

For the Affirmative.

Mr. Arcularius,	Mr. Comſtock,	Mr. K. Hogeboom,	Mr. P. P. Schuyler,
Mr. Baldwin,	Mr. Cornwell,	Mr. Holly,	Mr. Skidmore,
Mr. Barber,	Mr. Deitz,	Mr. Hunt,	Mr. A. Smith,
Mr. J. Barker,	Mr. J. A. De Witt,	Mr. Jenkins,	Mr. T. Smith,
Mr. T. Barker,	Mr. J. C. De Witt,	Mr. Lee,	Mr Snell,
Mr. W. Barker,	Mr. Fairlie,	Mr. M'Cord,	Mr. Storm,
Mr. Bevier,	Mr. Fonda,	Mr. M'Farlan,	Mr. Ten Broeck,
Mr. Boyd,	Mr. Gregory,	Mr. M'Neal,	Mr. Iſrael Thompſon,
Mr. Bruyn,	Mr. Halſey,	Mr. Micheau,	Mr. Vandervoort,
Mr. Carman,	Mr. Hatfield,	Mr. Pearſall,	Mr. Voſburgh,
Mr. Clinton,	Mr. Heermance,	Mr. Robins,	Mr. Weſt,
Mr. Coe,	Mr. J. Hogeboom,	Mr. Savage,	Mr. Wood.

For the Negative.

Mr. Adams,	Mr. Foot,	Mr. Howard,	Mr. Reeve,
Mr. Bird,	Mr. Fort,	Mr. Kane,	Mr. J. Smith,
Mr. Bowen,	Mr. Gettman,	Mr. Maſon,	Mr. N. Smith,
Mr. Bowman,	Mr. Gray,	Mr. Metcalfe,	Mr. Teed,
Mr. Brown,	Mr. Griſwold,	Mr. Miller,	Mr. Jeſſe Thompſon,
Mr. Clark,	Mr. Hall,	Mr. Mitchell,	Mr. Van Alſtyne,
Mr. Clifft,	Mr. Henry,	Mr. Ogden,	Mr. Warner,
Mr. Coryell,	Mr. Hoag,	Mr. Potter,	Mr. Wheeler,
Mr. Dewey,	Mr. Horton,	Mr. Pride,	

Thereupon, *Ordered*, That the ſaid bill be recommitted to a committee of the whole Houſe.

The Hon. the Senate returned by Mr. Jones and Mr. L'Hommedieu the bill entitled "*An act relative to the treaſury of this State.*"

Ordered, That Mr. Clark and Mr. Clifft deliver the bill to the Hon. the Council of Reviſion.

A meſſage from the Hon. the Council of Reviſion, tranſmitted to this Houſe by the Hon. the Senate, was read, that it does not appear improper to the Council, that the bill entitled "*An act concerning quit rents,*" and the bill entitled "*An act for dividing the towns of Rocheſter and Mamakating, in the county of Ulſter,*" ſhould ſeverally become laws of this State.

Mr. J. Hogeboom, from the committee of the whole Houſe, on the bill entitled "*An act to veſt the title to certain lands in the county of Waſhington in John Thurman,*" reported, that after the ſaid bill had been read in the committee, Mr. Comſtock made a motion, that the ſame be rejected; that debates were had thereon, and the queſtion being put, whether the committee did agree to the motion of Mr. Comſtock, it was carried in the affirmative in the manner following, viz.

For the Affirmative.

Mr. Arcularius,	Mr. Cornwell,	Mr. Hovey,	Mr. Robins,
Mr. Baldwin,	Mr. Deitz,	Mr. Howard,	Mr. P. P. Schuyler,
Mr. J. Barker,	Mr. De la Montagnie,	Mr. Hunt,	Mr. Skidmore,
Mr. T. Barker,	Mr. J. C. De Witt,	Mr. Jenkins,	Mr. A. Smith,
Mr. W. Barker,	Mr. Dewey,	Mr. Lee,	Mr. T. Smith,
Mr. Bevier,	Mr. Fonda,	Mr. Maſon,	Mr. J. Smith,
Mr. Bowen,	Mr. Foot,	Mr. M'Cord,	Mr. N. Smith,
Mr. Bowman,	Mr. Fort,	Mr. M'Farlan,	Mr. Snell,
Mr. Boyd,	Mr. Gettman,	Mr. M'Neal,	Mr. Storm,
Mr. Brown,	Mr. Gray,	Mr. Metcalfe,	Mr. Teed,
Mr. Burling,	Mr. Gregory,	Mr. Micheau,	Mr Ten Broeck,
Mr. Burt,	Mr. Hall,	Mr. Miller,	Mr. Jeſſe Thompſon,
Mr. Campbell,	Mr. Hatfield,	Mr. Mitchell,	Mr. Iſrael Thompſon,
Mr. Carman,	Mr. Heermance,	Mr. Morſe,	Mr. Vandervoort,
Mr. Clark,	Mr. Henry,	Mr. Pearſall,	Mr. Van Alſtyne,
Mr. Clifft,	Mr Hoag,	Mr. Potter,	Mr. Voſburgh,
Mr. Coe,	Mr. K. Hogeboom,	Mr. Pride,	Mr. Weſt,
Mr. Comſtock,	Mr. Holly,	Mr. Reeve,	

For the Negative.

Mr. Adams,	Mr. Halſey,	Mr. P. I. Schuyler,	Mr. Wendell,
Mr. Bird,	Mr. Kane,	Mr. Speaker,	Mr. Wheeler,
Mr. Burt,	Mr. Ogden,	Mr. Thomas,	Mr. Williamſon,
Mr. Clinton,	Mr. Savage,	Mr. Warner,	Mr. Wood.
Mr. Fairlie,			

Which he was directed to report to the Houſe, and he read the report in his place and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Thereupon, *Reſolved*, That the ſaid bill be, and the ſame is hereby rejected.

Ordered, That the petition of Nehemiah Mead and others, be committed to the committee of the whole Houſe when on the bill entitled "*An act to amend the act entitled "An act for the further ſale of the unappropriated lands of this State.*"

Mr. Wood, from the committee of the whole Houſe on the bill entitled "*An act for the relief of John Oſtrander*," reported, that after the ſaid bill was read in the committee, and debates had thereon, the queſtion was put whether the committee did agree thereto, and it was carried in the affirmative in the manner following, viz.

For the Affirmative.

Mr. Arcularius,	Mr. Deitz,	Mr. Holly,	Mr. Robins,
Mr. Baldwin,	Mr. De la Montagnie,	Mr. Horton,	Mr. P. P. Schuyler,
Mr. T. Barker,	Mr. Dewey,	Mr. Hovey,	Mr. Skidmore,
Mr. Bowen,	Mr. Fort,	Mr. Howard,	Mr. T. Smith,
Mr. Bowman,	Mr. Gettman,	Mr. Hunt,	Mr. Storm,
Mr. Boyd,	Mr. Hall,	Mr. M'Cord,	Mr. Speaker,
Mr. Brown,	Mr. Hatfield,	Mr. M'Farlan,	Mr. Ten Broeck,
Mr. Burling,	Mr. Henry,	Mr. Metcalfe,	Mr. Van Alſtyne,
Mr. Campbell,	Mr. Hoag,	Mr. Morſe,	Mr. Voſburgh,
Mr. Clinton,	Mr. J. Hogeboom,	Mr. Ogden,	Mr. Wendell,
Mr. Coe,	Mr. K. Hogeboom,	Mr. Pride,	Mr. Weſt. 44

For the Negative.

Mr. Adams,	Mr. Coryell,	Mr. Micheau,	Mr. J. Smith,
Mr. J. Barker,	Mr. J. C. De Witt,	Mr. Miller,	Mr. N. Smith,
Mr. W. Barker,	Mr. Gray,	Mr. Pearſall,	Mr. Snell,
Mr. Carman,	Mr. Halſey,	Mr. Potter,	Mr. Jeſſe Thompſon,
Mr. Clifft,	Mr. Lee,	Mr. Reeve,	Mr. Vandervoort,
Mr. Cornwell,	Mr. M'Neal,	Mr. A. Smith,	Mr. Wheeler, 24

Mr. Wood reported further progreſs, and obtained leave to ſit again.

Mr. Wood, from the committee of the whole Houſe on the bill entitled "*An act to eſtabliſh a turnpike corporation for improving the road from the houſe of John Weaver, in Watervliet, to Cherry Valley*," reported, that the committee had gone through the bill and filled up the blanks, which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

Mr. Fairlie, from the committee of the whole Houſe on the bill entitled "*An act for the relief of Abraham Van Taſſel*," reported, that after the ſaid bill had been read in the committee, Mr. Clinton made a motion that the committee ſhould agree to reject the ſame, that the queſtion being put whether the committee did agree to the motion of Mr. Clinton, it was carried in the affirmative; which he was directed to report to the Houſe, and he read the report in his place and delivered the ſame in at the table, where it was again read and agreed to by the Houſe. Thereupon,

Reſolved, That the ſaid bill be, and the ſame is hereby rejected.

Mr. Maſon, from the committee of the whole Houſe, on the bill entitled "*An act for diſpoſing of the real eſtate whereof Charles I. Brannon died ſeized*," reported, that the committee had gone through the ſaid bill without amendment and filled up the blanks, which he was directed to report to the Houſe, and he read the report in his place and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the ſaid bill be engroſſed.

A petition of the Chamber of Commerce, in the city of New-York, relative to fortifying the port and harbor of New-York, was read and referred to Mr. Burr, Mr. Bowman, Mr. Comſtock, Mr. Griſwold and Mr. Hall.

Then the Houſe adjourned until nine o'clock on Monday morning next.

Monday, nine o'clock, A. M. March 19th, 1798.

The engroſſed bill entitled "*An act to veſt certain powers in the freeholders and inhabitants of the village commonly known by the name of Old Fort Schuyler*," was read the third time.

Reſolved, That the bill do paſs.

The engroſſed bill entitled "*An act to provide againſt infectious and peſtilential diſeaſes,*" was read the third time.

Reſolved, That the bill do paſs.

The engroſſed bill entitled "*An act to eſtabliſh a turnpike corporation for improving the road from the houſe of John Weaver, in Watervliet, to Cherry Valley,*" was read the third time.

Reſolved, That the bill do paſs.

The engroſſed bill entitled "*An act for making, improving and keeping in repair the public roads and bridges in the counties therein mentioned,*" was read the third time.

Reſolved, That the bill do paſs.

Ordered, That Mr. Clinton and Mr. Coe deliver the four laſt mentioned bills to the Hon. the Senate, and requeſt their concurrence.

A petition of Levi De Witt and others, inhabitants of the county of Ulſter, praying a grant of a certain tract of land in the ſaid county, and the petition of Derick Weſbrook and others, remonſtrating againſt granting the ſaid lands, were ſeverally read and referred to the Surveyor-General.

The Surveyor-General, purſuant to a reſolution of this Houſe of the 8th day of February laſt, reported, That in conſequence of the act of the 28th March, 1797, he has received maps of all the towns in the counties of Richmond, King's, Queen's, Suffolk, Weſtcheſter, Dutcheſs, Orange (excepting the towns of Goſhen, Warwick and Miniſink, of which a map is in preparation) Ulſter, Columbia (excepting Kinderhook and Chatham) Saratoga and Albany, excepting ſome additional materials which are engaged to be produced when demanded.

On the maps received as aforeſaid, the Surveyor-General thinks it proper to remark, that they are executed with various degrees of care and accuracy. Some appear to have conſiderable labor and expenſe beſtowed on them, while others ſeem to be the production of mere ſketching. To enable the Houſe to obtain an accurate idea of this, a few of the maps are exhibited as ſamples. At the ſame time it is but juſt to obſerve that the moſt of them are done fully as well as could be expected, as ſamples for the purpoſe contemplated, to wit, a general map; and that thoſe now exhibited as ſamples of the beſt kind are by no means intended in derogation of others nearly if not altogether of equal execution.

Of many of the maps much muſt of neceſſity be omitted on the reduced ſcale of the State map, to avoid crowding it too much. But in order that the public may as much as may be receive the benefit of theſe works, the Surveyor-General propoſes to have thoſe towns' maps which are ſufficiently well executed, engraved and publiſhed, and brought together in the ſhape of an atlas, on ſuch a ſcale as to preſerve all the particulars delineated, provided the State will defray the expenſe in the firſt inſtance, and if the proceeds of the ſales do not equal the expenſe, be anſwerable for the difference. This meaſure will in no way impede the progreſs of the general map, which will certainly in the courſe of next ſummer be prepared for the engraver whether the materials are or are not furniſhed in greater perfection. A map of an extenſive country can be perfect only in proportion to the materials which it is poſſible for the compiler to procure; imperfections therefore owing to the want of theſe cannot be juſtly chargeable to his account. The vague manner in which this country has been parcelled out to the original ſettlers, the frequent changes that are made in the juriſdictional diviſions of the State, the looſe deſcriptions that have been given of ſuch diviſions, predicated on monuments of which no ſurveys have been previouſly made, and are not to be found on documents in any office, and the want of auxiliary works, have conſpired to render a geographical delineation of this State more difficult than perhaps any other of proportionable importance in America.

In the courſe of the compilation, it is probable that diſagreements between different maps may be diſcovered, in which caſe the Surveyor-General ſhould have the right of demanding from the Superviſors ſuch ſurveys as may be requiſite to enable him to join them properly; or rather means ſhould be furniſhed him for obtaining a ſurvey of ſuch of the bounds of any town in the State, as may in any reſpect be wanting or defective, and cannot otherwiſe be procured.

As one of the chief uſes of maps is to ſhew the ſituation of ſettlements, there ought to be at leaſt one principal road through every town with the houſes and other ob-

jects along it, obtained from actual ſurvey. In many of the maps delivered, this is the caſe, but in others no ſuch remarks occur. As the ſurveying of roads can be eaſily and expeditiouſly done, the expenſe to each town would be but a trifle; and this by itſelf would go a great way towards an accurate deſcription of the country on a general map. York Iſland ſeems to have been omitted in the law requiring the maps of towns; a ſurvey of it will of courſe be neceſſary to be directed.

Upon the whole, the materials obtained together with what is now propoſed, will ſuffice for a map of the State as accurate as can be expected in the preſent ſtate of its ſettlements.

All which is reſpectfully ſubmitted.

SIMEON DE WITT, *Surveyor-General.*

MARCH 19*th*, 1798.

Ordered, That the ſaid report and papers accompanying the ſame, be referred to Mr. Mitchell, Mr. P. I. Schuyler, Mr. Coryell, Mr. Henry and Mr. Pride.

Two ſeveral meſſages from the Hon. the Senate, delivered by Mr. Mathews and Mr. J. Morris, with the bills therein reſpectively mentioned, were read, that the Senate have paſſed the bill entitled "*An act relative to the lands on the Niagara river belonging to the people of this State,*" and the bill entitled "*An act ſupplementary to the act entitled "An act concerning the Salt Springs in the county of Onondaga,*" to which they requeſt the concurrence of this Houſe. The ſaid bills were read the firſt time and ordered a ſecond reading.

A copy of a reſolution of the Hon. the Senate, alſo delivered by Mr. Mathews and Mr. J. Morris, was read, and is in the words following, viz.

Reſolved, That that the Senate will meet the Hon. the Aſſembly in the Aſſembly Chamber on Tueſday next, at 3 o'clock P. M. in order to hold the conference propoſed on their amendments to the bill entitled "*An act to amend the act making alterations in the Criminal Law of this State, and for erecting State Priſons,*" which have not been concurred in by the Hon. the Aſſembly; and that Mr. Jones, Mr. Van Vechten and Mr. Addiſon, be a committee to manage the ſaid conference on the part of the Senate.

Mr. Carman, from the ſelect committee to whom was referred the bill entitled "*An act eſtabliſhing the rates of ferriage acroſs the Eaſt River between the counties of Queen's and Weſtcheſter,*" reported, that the committee had gone through the bill and made amendments, which he was directed to report to the Houſe, and he read the report in his place and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

Mr. Brown, in behalf of Mr. Burr, from the ſelect committee to whom was committed the bill entitled "*An act for opening the navigation between Lake Erie and Lake Ontario,*" reported, that the committee had gone through the bill and made amendments, which he was directed to report to the Houſe, and he read the report in his place and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

Mr. Bird, purſuant to notice by him for that purpoſe heretofore given, moved for and obtained leave to bring in a bill entitled "*An act to authoriſe the raiſing a ſum of money for making certain neceſſary accommodations for the goal, and certain repairs for the court houſe, in the county of Renſſelaer,*" which was read the firſt time and ordered a ſecond reading.

By unanimous conſent the ſaid bill was read the ſecond time, and committed to a committee conſiſting of the members attending in this Houſe from the county of Renſſelaer.

Ordered, That the committee conſiſting of Mr. Bird, Mr. Fonda and Mr. Bevier, and the committee conſiſting of Mr. Hatfield, Mr. Burr and Mr. Snell, to whom were ſeverally referred ſundry petitions, praying grants of bounty lands, and other compenſation for military ſervices, be reſpectively diſcharged from the further conſideration of the ſaid petitions, and that they be committed to a committee of the whole Houſe when on the bill entitled "*An act aſcertaining the perſons entitled to lands for military ſervices.*"

A meſſage from the the Hon. the Senate, delivered by Mr. J. Morris and Mr. Myers, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "*An act to divide the town of Canajoharie,*" with the amendments therewith delivered; the bill and amendments were read, and the amendments being read a ſecond time, were concurred in by the Houſe, and the bill amended accordingly.

Ordered, That Mr. Cornwell and Mr. Deitz deliver the bill to the Hon. the Senate, and inform them that this Houſe have concurred in their amendments, and have amended the bill accordingly.

A meſſage from the Hon. the Council of Reviſion, delivered by the Hon. Mr. Juſtice Lewis, was read, that it does not appear improper to the Council, that the bill entitled "*An act relative to the treaſury of this State,*" ſhould become a law of this State.

Mr. Benton, from the committee of the whole Houſe, on the bill entitled "*An act for the payment of certain officers of government, and other contingent expenſes,*" reported the proceedings of the committee to have been as follows, viz. That after the ſaid bill had been read in the committee, Mr. Comſtock made a motion, that the committee ſhould agree to a reſolution in the words following, viz.

Reſolved, as the ſenſe of this committee, That the yearly compenſation which ſhall be allowed to the general officers of government and both houſes of the Legiſlature, their Clerks, Sergeants at arms, Chaplains and door-keepers, ought to be lowered from what was allowed them the laſt year, one part of ſuch allowance. Provided nevertheleſs, that the yearly compenſation to be in future allowed to the Comptroller, be reduced one third of the preſent allowance.

That Mr. Fairlie made a motion, that the committee ſhould agree to ſubſtitute a reſolution in the room of the one propoſed by the motion of Mr. Comſtock, which ſubſtitute is in the words following, viz.

Reſolved, as the ſenſe of this committee, That the Governor and other officers of the government, together with the Members of the Legiſlature, Clergymen, Clerks, Sergeant at arms and door-keeper, be allowed the ſame compenſation for their ſervices as was allowed for the ſame by the Legiſlature laſt year, except ſuch as are otherwiſe ſince provided for by law; and that the blanks in the bill be filled up accordingly.

Which was agreed to in the committee. That debates were then had on the ſaid laſt mentioned reſolution, and the queſtion being put, whether the committee do agree thereto, it paſſed in the negative in the manner following, viz.

For the Negative.

Mr. Adams,	Mr. Coe,	Mr. Holly,	Mr. A. Smith,
Mr. Baldwin,	Mr. Comſtock,	Mr. Hovey,	Mr. T. Smith,
Mr. Barber,	Mr. Coryell,	Mr. Howard,	Mr. J. Smith,
Mr. J. Barker,	Mr. Deitz,	Mr. Jenkins,	Mr. N. Smith,
Mr. T. Barker,	Mr. J. A. De Witt,	Mr. Kane,	Mr. Snell,
Mr. W. Barker,	Mr. Fonda,	Mr. Lee,	Mr. Teed,
Mr. Bird,	Mr. Foot,	Mr Maſon,	Mr. Ten Broeck,
Mr. Bowman,	Mr. Fort,	Mr. M'Cord,	Mr. Thomas,
Mr. Boyd,	Mr. Gray,	Mr. Metcalfe,	Mr. Jeſſe Thompſon,
Mr. Bruyn,	Mr. Gregory,	Mr. Micheau,	Mr. Iſrael Thompſon,
Mr. Burr,	Mr. Hall,	Mr. Miller,	Mr. Vandervoort,
Mr. Burling,	Mr. Halſey,	Mr. Pride,	Mr. Verplank,
Mr. Burt,	Mr. Hatfield,	Mr. Robins,	Mr. Voſburgh,
Mr. Carman,	Mr. Henry,	Mr. Savage,	Mr. Wendell,
Mr. Clifft,	Mr. J. Hogeboom,	Mr. P. I. Schuyler,	Mr Wheeler,
Mr. Clinton,	Mr. K. Hogeboom,	Mr. Skidmore,	Mr. Wood.

For the Affirmative.

Mr. Arcularius,	Mr. J. C. De Witt,	Mr. M'Neal,	Mr. P. P. Schuyler,
Mr. Bevier,	Mr. Dewey,	Mr. Mitchell,	Mr Storm,
Mr. Bowen,	Mr. Fairlie,	Mr. Morſe,	Mr. Speaker,
Mr. Brown,	Mr. Gettman,	Mr. Pearſall,	Mr. Van Alſtyne,
Mr. Campbell,	Mr. Horton,	Mr. Prince,	Mr. Warner,
Mr. De la Montagnie,	Mr. M'Farlan,	Mr. Reeve,	Mr. Weſt.

That in proceeding further in the ſaid bill, a clauſe thereof was read, and is in the words following, viz.

And be it further enacted, That from and after the firſt day of July laſt to the firſt day of July next, there ſhall be allowed to the ſeveral officers of government

ereafter mentioned, in addition to the annual ſalary now allowed them and each of hem reſpectively, in and by the act entitled "An act for the ſupport of govern-ent," the following ſums, viz. To the perſon adminiſtering the government of this tate, the ſum of dollars; to the Chief Juſtice and each of the Judges of the upreme Court, the ſum of dollars; to the Secretary of State, the ſum of ollars; to the Chancellor, the ſum of dollars; to Gerard Bancker, late Trea-urer of this State, the ſum of dollars, and to the Attorney-General, the ſum of dollars.

That Mr. Comſtock made a motion, that the committee ſhould agree to expunge he ſaid clauſe; that debates were had thereon, and the queſtion being put, whether he committee did agree thereto, it paſſed in the negative.

That Mr. Comſtock then made a motion, that the committee ſhould agree to ex-unge from the ſaid clauſe the words "*and to the Attorney-General, the ſum of ollars.*" That debates were had thereon, and the queſtion being put, whether the ommittee did agree thereto, it paſſed in the negative in the manner following, viz.

For the Negative.

Mr. Adams,	Mr. De la Montagnie,	Mr. Kane,	Mr. Storm,
Mr. Arcularius,	Mr. Dewey,	Mr. Maſon,	Mr. Speaker,
Mr. T. Barker,	Mr. Fonda,	Mr. Metcalfe,	Mr. Thomas,
Mr. Bird,	Mr. Foot,	Mr. Micheau,	Mr. Jeſſe Thompſon,
Mr. Brown,	Mr. Fort,	Mr. Mitchell,	Mr. Iſrael Thompſon,
Mr. Burr,	Mr. Gray,	Mr. Morſe,	Mr. Vandervoort,
Mr. Burling,	Mr. Hall,	Mr. Pearſall,	Mr. Van Alſtyne,
Mr. Carman,	Mr. Halſey,	Mr. Prince,	Mr. Verplank,
Mr. Clifft,	Mr. Henry,	Mr. Pride,	Mr. Warner,
Mr. Clinton,	Mr. K. Hogeboom,	Mr. Robins,	Mr. Wendell,
Mr. Cornwell,	Mr. Holly,	Mr. P. I. Schuyler,	Mr. Weſt,
Mr. Coryell,	Mr. Horton,	Mr. P. P. Schuyler,	Mr. Wheeler. 50
Mr. Deitz,	Mr. Hovey,		

For the Affirmative.

Mr. Baldwin,	Mr. Coe,	Mr. Jenkins,	Mr. T. Smith,
Mr. Barber,	Mr. Comſtock,	Mr. Lee,	Mr. J. Smith,
Mr. W. Barker,	Mr. J. A. De Witt,	Mr. M'Cord,	Mr. N. Smith,
Mr. Bevier,	Mr. J. C. De Witt,	Mr. M'Neal,	Mr. Snell,
Mr. Bowen,	Mr. Gettman,	Mr. Miller,	Mr. Teed,
Mr. Boyd,	Mr. Gregory,	Mr. Savage,	Mr. Ten Broeck,
Mr. Bruyn,	Mr. Hatfield,	Mr. Skidmore,	Mr. Voſburgh,
Mr. Burt,	Mr. J. Hogeboom,	Mr. A. Smith,	Mr. Wood. 34
Mr. Campbell,	Mr. Howard,		

That a clauſe which had been agreed to by the committee was again read, and is in the words following, viz.

And be it further enacted, That the Treaſurer ſhall pay to the Preſident of the Senate and Speaker of the Houſe of Aſſembly, at and after the rate of per day for each day's attendance, and to each member of the Senate and Houſe of Aſſembly, the ſum of per day, for each day's attendance at the preſent ſeſſion and travelling, after the rate of twenty miles per day, which ſums ſhall be in addition to the ſum now allowed by an act entitled "*An act for the ſupport of government.*"

That Mr. Burr made a motion that the committee ſhould agree to reconſider the ſaid clauſe; that the queſtion being put whether the committee did agree to the motion of Mr. Burr, it paſſed in the negative in the manner following, viz.

For the Negative.

Mr. Arcularius,	Mr. De la Montagnie,	Mr. Horton,	Mr. P. P. Schuyler,
Mr. J. Barker,	Mr. J. C. De Witt,	Mr. Hovey,	Mr. J. Smith,
Mr. T. Barker,	Mr. Dewey,	Mr. Lee,	Mr. Storm,
Mr. Brown,	Mr. Fairlie,	Mr. Maſon,	Mr. Speaker,
Mr. Bruyn,	Mr. Foot,	Mr. Micheau,	Mr. Ten Broeck,
Mr. Burling,	Mr Gray,	Mr. Miller,	Mr. Thomas,
Mr. Burt,	Mr. Hall,	Mr. Morſe,	Mr. Jeſſe Thompſon,
Mr. Campbell,	Mr. Halſey,	Mr. Pearſall,	Mr. Iſrael Thompſon,
Mr. Carman,	Mr. Hatfield,	Mr. Prince,	Mr. Vandervoort,
Mr. Clifft,	Mr. Henry,	Mr. Pride,	Mr. Weſt,
Mr. Cornwell,	Mr. J. Hogeboom,	Mr. Reeve,	Mr. Wheeler,
Mr. Coryell,	Mr. Holly,	Mr. Savage,	Mr. Wood. 43

For the Affirmative.

Mr. Adams,	Mr. Clinton,	Mr. Howard,	Mr. A. Smith,
Mr. Baldwin,	Mr. Coe,	Mr. Jenkins,	Mr. T. Smith,
Mr. Barber,	Mr. Comstock,	Mr. Kane,	Mr. N. Smith,
Mr. W. Barker,	Mr. Deitz,	Mr. M'Cord,	Mr. Snell,
Mr. Bird,	Mr. J. A. De Witt,	Mr. M'Neal,	Mr. Tead,
Mr. Bevier,	Mr. Fonda,	Mr. Metcalfe,	Mr. Van Alstyne,
Mr. Bowen,	Mr. Fort,	Mr. Mitchell,	Mr. Verplanck,
Mr. Bowman,	Mr. Getzman,	Mr. Robins,	Mr. Vosburgh,
Mr. Boyd,	Mr. Gregory,	Mr. P. I. Schuyler,	Mr. Warner,
Mr. Burr,	Mr. K. Hogeboom,	Mr. Skidmore,	Mr. Wendell.

Mr. Benton reported further progress and obtained leave to sit again.

Mr. Burr, from the committee appointed for the purpose, brought in a bill entitled "*An act to amend the act entitled "An act to lay a duty of excise on strong liquors, and for the better regulating inns and taverns,*" which was read the first time and ordered a second reading. By unanimous consent the said bill was read a second time and committed to a committee of the whole House.

Mr. Burr, from the committee to whom was referred the message of his Excellency the Governor of the 5th instant, and to whom was also referred the petition of the Chamber of Commerce, reported, That there hath been expended since the 1st May, 1794, in erecting the fortifications specified in the report of the said commissioners, the sum of 142,500 dols. whereof 137,500 dols. hath been paid by this State, and 5000 dols. by the United States. That 75,000 dols. hath been appropriated and expended in the purchase of field artillery, arms, accoutrements and ammunition for the militia, and 25,000 dollars for the purchase of cannon. That the act of the 26th March, 1794, contemplated also the building and equipping one or more floating batteries at the discretion of the commissioners therein named, which hath not been attempted by reason of the insufficiency of the sums granted for the different objects designated in the said act. That the progress which hath been made in the erection of fortifications in the vicinity of the city of New-York, will appear from the report of the said commissioners. That your committee after the most diligent search, have not been able to procure any plan of those works or estimate of the sums requisite to complete them, and cannot therefore pronounce on the expediency of attempting it. That the representations contained in the report of the said commissioners and in the memorial of the chamber of commerce, afford just ground of anxiety, and in the opinion of your committee require the immediate attention of the Legislature.

Seeing that by the constitution of the United States the government thereof are directed to provide for the common defence and for arming the militia, and that the United States draw from the city of New-York an annual revenue of one million dollars, it cannot in the opinion of your committee be presumed that they will neglect its protection and defence.

The committee being destitute of the information requisite to enable them to form any correct judgment of the precise measures to be adopted, or of the sums necessary to carry them into effect, do submit to the consideration of the House the following resolution:

Resolved, That his Excellency the Governor be requested to cause to be laid before this House an estimate of the sums necessary, and means to be adopted for putting the city and port of New-York in a respectable state of defence, and that he be also requested to inform this House whether there be grounds to expect the co-operation of the government of the United States in defraying the expence attending this object.

Which report was agreed to by the House. Thereupon,

Resolved, That his Excellency the Governor be requested to cause to be laid before this House an estimate of the sums necessary, and means to be adopted for putting the city and port of New-York in a respectable state of defence, and that he be also requested to inform this House whether there be ground to expect the co-operation of the government of the United States in defraying the expence attending this object.

Ordered, That Mr. Coe and Mr. Cornwell deliver a copy of the preceding resolution to his Excellency the Governor.

Then the House adjourned until three o'clock this afternoon.

Three o'clock, P. M.

The House met pursuant to adjournment.

A petition of Bartholomew I. V. Valkenburgh, praying a grant of an iſland, called ove Plaat, in Hudſon's River, was read and referred to the committee of the whole ouſe when on the bill entitled "*An act for the relief of William Cockburn.*"

Mr. Maſon, from the ſelect committee appointed for the purpoſe, reported a ll entitled "*An act granting to Alexander J. Turner and Adonijah Skinner, an excluſive ht of running a ſtage on the route therein mentioned,*" and that the committee had gone ough the bill without amendment, which he was directed to report to the Houſe d he read the report in his place and delivered the ſame in at the table, where it s again read and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

Mr. Prittie, from the committee to whom was referred the petition of the inhabit- s reſiding in that part of the townſhip of Schenectady lying on the north ſide of Mohawk river, reported, that proviſion has been made for the petitioners by the incorporating that part of the town of Schenectady therein mentioned. Which port was agreed to by the Houſe.

Mr. Griſwold aſked for and obtained leave of abſence for the remainder of the ſeſ- n.

Mr. Benton, from the committee of the whole Houſe, on the bill entitled "*An act the payment of certain officers of government, and other contingent expenſes,*" reported, t in proceeding in the ſaid bill, Mr. Wood made a motion, that the committee ould agree to add a clauſe in the words following, viz.

And be it further enacted, That the Treaſurer ſhall pay on the order of the mptroller ſuch ſums as ſhall be due to the Surveyor-General for the ſervices en- ned on him by the concurrent reſolutions of the Senate and Aſſembly of the 1ſt d 3d of April, and 14th of March, 1797, and by the act paſſed 17th March, 1797, itled "An act for the relief of Nicholas Aldridge and others."

That debates were had, and the queſtion being put thereon, it was carried in the rmative in the manner following, viz.

For the Affirmative.

Mr. Arcularius,	Mr. J. A. De Witt,	Mr. Howard,	Mr. Skidmore,
Mr. Baldwin,	Mr. J. C. De Witt,	Mr. Jenkins,	Mr. T. Smith,
Mr. Barber,	Mr. Dewey,	Mr. Kane,	Mr. J. Smith,
Mr. J. Barker,	Mr. Fairlie,	Mr. Lee,	Mr. Storm,
Mr. T. Barker,	Mr. Fonda,	Mr. M'Cord,	Mr. Speaker,
Mr. W. Barker,	Mr. Foot,	Mr. M'Farlan,	Mr. Teed,
Mr. Bowman,	Mr. Fort,	Mr. M'Neal,	Mr. Ten Broeck,
Mr. Brown,	Mr. Gettman,	Mr. Michean,	Mr. Thomas,
Mr. Bruyn,	Mr. Gray,	Mr. Miller,	Mr. Jeſſe Thompſon,
Mr. Burr,	Mr. Gregory,	Mr. Mitchell,	Mr. Iſrael Thompſon,
Mr. Burling,	Mr. Hall,	Mr. Morſe,	Mr. Joel Thompſon,
Mr. Campbell,	Mr. Halſey,	Mr. Ogden,	Mr. Vandervoort,
Mr. Carman,	Mr. Heermance,	Mr. Pearſall,	Mr. Van Alſtyne,
Mr. Clifft,	Mr. Henry,	Mr. Potter,	Mr. Verplank,
Mr. Clinton,	Mr. J. Hogeboom,	Mr. Prince,	Mr. Warner,
Mr. Coe,	Mr. K. Hogeboom,	Mr. Reeve,	Mr. Wendell,
Mr. Cornwell,	Mr. Holly,	Mr. Robins,	Mr. Weſt,
Mr. Coryell,	Mr. Holt,	Mr. Savage,	Mr. Wheeler,
Mr. Deitz,	Mr. Horton,	Mr. P. I. Schuyler,	Mr. Wood, 79
Mr. De la Montagnie,	Mr. Hovey,	Mr. P. P. Schuyler,	

For the Negative.

Mr. Adams,	Mr. Burt,	Mr. Maſon,	Mr. N. Smith,
Mr. Bird,	Mr. Comſtock,	Mr. Mercalfe,	Mr. Snell,
Mr. Bevier,	Mr. Hatfield,	Mr. A. Smith,	Mr. Voſburgh, 12

That Mr. Wheeler made a motion, that the committee ſhould agree to add a clauſe the words following, viz.

And be it further enacted, That from and after the firſt day of May next, the mptroller ſhall be allowed, as a compenſation for his ſervices and expenſes, in- ding clerk hire, office hire and ſtationary, a ſalary of dollars a year, pay- e quarter yearly; and it ſhall be lawful for him to draw warrants on the Trea- er for the payment thereof, as the ſame ſhall become due.

And be it further enacted, That ſo much of the act entitled "An act for appoint- a Comptroller in this State," paſſed the 17th day of February, 1797, as relates to ſalary of the Comptroller, ſhall be, and hereby is repealed.

That the queſtion being put thereon, it paſſed in the negative in the manner fol- ing, viz.

For the Negative.

Mr. Arcularius,	Mr. Fairlie,	Mr. Metcalfe,	Mr. T. Smith,
Mr. J. Barker,	Mr. Foot,	Mr. Micheau,	Mr. J. Smith,
Mr. Bird,	Mr. Gray,	Mr. Miller,	Mr. Storm,
Mr. Bowman,	Mr. Hall,	Mr. Mitchell,	Mr. Speaker,
Mr. Brown,	Mr. Halfey,	Mr. Morfe,	Mr. Teed,
Mr. Burr,	Mr. Henry,	Mr. Ogden,	Mr. Thomas,
Mr. Burling,	Mr. Holt,	Mr. Pearfall,	Mr. Jeffe Thompfon,
Mr. Carman,	Mr. Horton,	Mr. Potter,	Mr. Joel Thompfon,
Mr. Clifft,	Mr. Hovey,	Mr. Pride,	Mr. Vandervoort,
Mr. Clinton,	Mr. Howard,	Mr. Reeve,	Mr. Verplank,
Mr. Cornwell,	Mr. Kane,	Mr. Robins,	Mr. Wendell,
Mr. Coryell,	Mr. Lee,	Mr. P. I. Schuyler,	Mr. Weft,
Mr. Deitz,	Mr. Mafon,	Mr. Skidmore,	Mr. Wood.
Mr. Dewey,	Mr. M'Neal,		

For the Affirmative.

Mr. Adams,	Mr. Comftock,	Mr. J. Hogeboom,	Mr. A. Smith,
Mr. Baldwin,	Mr. De la Montagnie,	Mr. K. Hogeboom,	Mr. N. Smith,
Mr. Barber,	Mr. J. A. De Witt,	Mr. Holly,	Mr. Snell,
Mr. T. Barker,	Mr. J. C. De Witt,	Mr. Jenkins,	Mr. Ten Broeck,
Mr. W. Barker,	Mr. Fonda,	Mr. M'Cord,	Mr. Ifrael Thompfon,
Mr. Bevier,	Mr. Fort,	Mr. M'Farlan,	Mr. Van Alftyne,
Mr. Bruyn,	Mr. Gettman,	Mr. Prince,	Mr. Vofburgh,
Mr. Burt,	Mr. Gregory,	Mr. Savage,	Mr. Warner,
Mr. Campbell,	Mr. Hatfield,	Mr. P. P. Schuyler,	Mr. Wheeler.
Mr. Coe,	Mr. Heermance,		

That a clauſe which had been agreed to was again read, and is in the words following, viz.

And be it further enacted, That the Treaſurer ſhall pay to the Preſident of the Senate, and Speaker of the Houſe of Aſſembly, at and after the rate of per day for each day's attendance, and to each member of the Senate and Houſe of Aſſembly the ſum of per day, for each day's attendance, at the preſent ſeſſion, and travelling after the rate of twenty miles per day, which ſums ſhall be in addition to the ſum now allowed by an act entitled "*An act for the ſupport of government.*"

That Mr. Wood made a motion to fill up the laſt blank in the ſaid clauſe with the words "*one dollar.*"

That Mr. Bird made a motion to inſert the words "*fifty cents*" in the ſaid blank.

That Mr. Fairlie made a motion to inſert the words "*one dollar and fifty cents*" in the ſaid blank.

That the queſtion being put, whether the committee did agree to the motion of Mr. Fairlie, it was carried in the affirmative in the manner following, viz.

For the Affirmative.

Mr. Adams,	Mr. De la Montagnie,	Mr. Horton,	Mr. Reeve,
Mr. Arcularius,	Mr. J. A. De Witt,	Mr. Hovey,	Mr. P. P. Schuyler,
Mr. T. Barker,	Mr. J. C. De Witt,	Mr. Maſon,	Mr. Skidmore,
Mr. Bevier,	Mr. Dewey,	Mr. M'Farlan,	Mr. N. Smith,
Mr. Boyd,	Mr. Fairlie,	Mr. M'Neal,	Mr. Storm,
Mr. Brown,	Mr. Foot,	Mr. Micheau,	Mr. Speaker,
Mr. Bruyn,	Mr. Gray,	Mr. Mitchell,	Mr. Thomas,
Mr. Burling,	Mr. Hall,	Mr. Morſe,	Mr. Iſrael Thompſon,
Mr. Burt,	Mr. Halſey,	Mr. Ogden,	Mr. Joel Thompſon,
Mr. Clifft,	Mr. Heermance,	Mr. Pearſall,	Mr. Warner,
Mr. Cornwell,	Mr. Henry,	Mr. Potter,	Mr. Wendell,
Mr. Coryell,	Mr. Holly,	Mr. Prince,	Mr. Weſt.
Mr. Deitz,	Mr. Holt,		

For the Negative.

Mr. Baldwin,	Mr. Comſtock,	Mr. Lee,	Mr. Snell,
Mr. Barber,	Mr. Fonda,	Mr. M'Cord,	Mr. Teed,
Mr. J. Barker,	Mr. Fort,	Mr. Metcalfe,	Mr. Ten Broeck,
Mr. W. Barker,	Mr. Gettman,	Mr. Miller,	Mr. Jeſſe Thompſon,
Mr. Bird,	Mr. Gregory,	Mr. Pride,	Mr. Van Alſtyne,
Mr. Bowman,	Mr. Hatfield,	Mr. Robins,	Mr. Vandervoort,
Mr. Burr,	Mr. J. Hogeboom,	Mr. Savage,	Mr. Verplank,
Mr. Campbell,	Mr. K. Hogeboom,	Mr. P. I. Schuyler,	Mr. Voſburgh,
Mr. Carman,	Mr. Howard,	Mr. A. Smith,	Mr. Wheeler,
Mr. Clinton,	Mr. Jenkins,	Mr. J. Smith,	Mr. Wood.
Mr. Coe,	Mr. Kane,	Mr. T. Smith,	

Mr. Benton reported further progreſs, and obtained leave to ſit again.

Mr. Metcalfe, from the committee to whom were referred ſundry petitions relative to impriſonment of debtors, reported, That the committee have examined the ſaid petitions and the ſtate of the laws to which they refer. In providing a remedy for all the evils that exiſt in this branch of our law, the committee have found many difficulties, on the one hand in guarding well the rights of honeſt creditors, and on the other, in giving all the relief to impriſoned perſons, which a ſpirit of humanity might ſuggeſt. The committee have been of opinion that the ſubject naturally divides itſelf into two parts, one for the enlargement of perſons actually impriſoned, or the diſcharge of perſons conſiderably embarraſſed with debts upon a ſurrender of their effects; the other part of the ſubject will relate to ſuch proviſions as enable creditors more effectually to ſecure themſelves in ſeaſon againſt the fraudulent practices of their debtors. The late period of the ſeſſion, and the difficulties which have preſented themſelves as to the latter part of the ſubject in forming any regulation which might ſuit the State at large, have in a great meaſure contracted the ſcope of their attention to the former part of the ſubject only, leaving the other to be more fully provided for by a future Legiſlature. The committee have accordingly prepared a bill for the relief of inſolvents, and now preſent the ſame to the Houſe.

The ſaid bill was read the firſt time and ordered a ſecond reading.

By unanimous conſent the ſaid bill was read the ſecond time and committed to a committee of the whole Houſe.

Ordered, That it be the order of the day on Wedneſday next for this Houſe to reſolve itſelf into a committee of the whole Houſe, on the bill entitled "*An act to erect part of the counties of Ulſter and Orange into a ſeparate county.*"

Ordered, That that it be the order of the day on Thurſday next for this Houſe to reſolve itſelf into a committee of the whole Houſe, on the bill entitled "*An act for the benefit of debtors and creditors.*"

Then the Houſe adjourned until nine o'clock to-morrow morning.

Tueſday, nine o'clock, A. M. March 20th, 1798.

The engroſſed bill entitled "*An act relative to lands on the Niagara river belonging to the people of this State,*" and the bill entitled "*An act ſupplementary to the act entitled "An act concerning the Salt Springs in the county of Onondaga,*" were ſeverally read the ſecond time and committed to a committee of the whole Houſe.

The engroſſed bill entitled "*An act to diſpoſe of the real eſtate whereof Charles I. Brannon died ſeized,*" was read the third time. Thereupon,

Reſolved, That the ſaid bill be recommitted to a committee of the whole Houſe.

A petition of Mary Brannon, widow of Charles I. Brannon, deceaſed, praying that the real eſtate whereof he died ſeized, may be veſted in her, was read and referred to the committee of the whole Houſe when on the ſaid laſt mentioned bill.

Mr. Bruyn, from the committee to whom was referred the petition of Alexander M'Niſh, reported in favor of the petitioner, and that a clauſe ſhould be added to ſome proper bill for ſuch purpoſe.

Ordered, That the ſaid committee do prepare and bring in ſuch clauſe.

Mr. Benton, from the committee to whom was committed the bill entitled "*An act to erect Curryſbuſh, or the patent granted to John Curry, together with the church land adjoining to the patent of Schenectady, on the ſouth ſide of the Mohawk river, into a ſeparate town,*" reported, that the committee had gone through the bill without amendment, which he was directed to report to the Houſe, and he read the report in his place and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

Mr. Howard, from the committee of the whole Houſe, on the bill entitled "*An act regulating the liberties of gaols,*" reported, that in proceeding to fill up the blank in the ſaid bill, a motion was made that the word "*three*" ſhould be inſerted in the ſaid blank; that the queſtion being put, whether the committee did agree thereto; it was carried in the affirmative in the manner following, viz.

For the Affirmative.

Mr. Baldwin,	Mr. Dewey,	Mr. Hovey,	Mr. Savage,
Mr. T. Barker,	Mr. Fairlie,	Mr. Jenkins,	Mr. A. Smith,
Mr. W. Barker,	Mr. Fort,	Mr. M'Farlan,	Mr. N. Smith,
Mr. Benton,	Mr. Gray,	Mr. M'Neal,	Mr. Speaker,
Mr. Bird,	Mr. Hall,	Mr. Metcalfe,	Mr. Jeſſe Thompſon,
Mr. Brown,	Mr. Hatfield,	Mr. Mitchell,	Mr. Iſrael Thompſon,
Mr. Burr,	Mr. Heermance,	Mr. Morſe,	Mr. Joel Thompſon,
Mr. Burling,	Mr. Henry,	Mr. Ogden,	Mr. Van Alſtyne,
Mr. Campbell,	Mr. Hoag,	Mr. Potter,	Mr. Verplank,
Mr. Clifft,	Mr. Holly,	Mr. Reeve,	Mr. Wheeler,
Mr. Clinton,	Mr. Holt,	Mr. Robins,	Mr. Williamſon. 46
Mr. Coryell,	Mr. Horton,		

For the Negative.

Mr. Adams,	Mr. Comſtock,	Mr. Kane,	Mr. T. Smith,
Mr. Arcularius,	Mr. Cornwell,	Mr. Lee,	Mr. Snell,
Mr. Barber,	Mr. Deitz,	Mr. Maſon,	Mr. Storm,
Mr. J. Barker,	Mr. De la Montagnie,	Mr. M'Cord,	Mr. Teed,
Mr. Bevier,	Mr. J. A. De Witt,	Mr. Micheau,	Mr. Ten Broeck,
Mr. Bowen,	Mr. J. C. De Witt,	Mr. Miller,	Mr. Vandervoort,
Mr. Bowman,	Mr. Foot,	Mr. Pearſall,	Mr. Voſburgh,
Mr. Boyd,	Mr. Gettman,	Mr. Pride,	Mr. Warner,
Mr. Burt,	Mr. Halſey,	Mr. P. P. Schuyler,	Mr. Wendell,
Mr. Carman,	Mr. J. Hogeboom,	Mr. Skidmore,	Mr. Weſt,
Mr. Clark,	Mr. K. Hogeboom,	Mr. J. Smith,	Mr. Wood. 45
Mr. Coe,			

Mr. Howard further reported, that the committee had gone through the bill and filled up the blank, which he was directed to report to the Houſe, and he read the report in his place and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

The Houſe proceeded to the conſideration of the reſolution as entered on the journals on the 15th inſt. relative to the adjournment of the Legiſlature; thereupon,

Ordered, That the further conſideration thereof be poſtponed until Tueſday next.

Mr. Wood, from the committee of the whole Houſe, on the bill entitled "*An act authorizing the arreſt of ſhips and veſſels for debts contracted by the maſter, owner or conſignee, for and on account of ſuch ſhips or veſſels in this State,*" reported, that after the ſaid bill had been read, Mr. Jenkins made a motion, that the committee ſhould agree to a ſubſtitute to the ſaid bill in the words following, viz.

An act authorizing the arreſt of ſhips and veſſels for debts contracted by the maſter, owner or conſignee, for and on account of ſuch ſhips and veſſels in this State.

Be it enacted by the people of the State of New-York repreſented in Senate and Aſſembly, That ſhips and veſſels of all deſcriptions built, repaired or equipped in this State, ſhall be liable for all debts contracted by the maſter or commander, owner or conſignee thereof, on account of any work done, or any ſupplies or materials furniſhed by any mechanic, tradeſman or others, for, on account or towards the building, repairing, fitting, furniſhing or equipping ſuch ſhips or veſſels, and that debts ſo contracted ſhall be a lien upon ſuch ſhips or veſſels, their tackle, apparel and furniture, and ſhall have preference to any and all other debts due and owing from the owner thereof, except mariners' wages.

And be it further enacted, That any perſon or perſons whoſe demands for materials furniſhed, or labor done for any ſuch ſhip or veſſel, amount to dollars, may apply to the judge or juſtice of any court of record within this State having cognizance thereof, where ſuch ſhip or veſſel then actually is, or where ſuch work ſhall have been done, or ſupplies furniſhed, and on requiſition of the ſaid party or parties after he or they ſhall have made oath or affirmation to their account, which ſhall be left with the ſaid judge or juſtice, it ſhall be lawful for the ſaid judge or juſtice to iſſue his warrant directed to the ſheriff of the city or county, commanding him to attach, ſeize and ſafely keep ſuch ſhip or veſſel, her tackle, apparel and furniture.

And be it further enacted, That upon the return of ſuch attachment the plaintiff may join in a declaration againſt the ſaid ſhip or veſſel, ſetting forth briefly their de-

mands, and alledging work to have been done, and the articles to have been furniſhed at the requeſt of the owner, maſter or conſignee, as the caſe really was, and averring demand, and refuſal of ſuch owner, maſter or conſignee; to which declaration ſhall be annexed the accounts of the reſpective plaintiffs; and it ſhall be lawful for the court in which ſuch action ſhall be brought, after judgment by default or iſſue joined, to refer the ſaid demands and accounts to three indifferent perſons, to be named by the ſaid court, and the ſame proceedings ſhall be had in regard to ſuch reference, and ſuch further proceedings, as is provided by the ſecond, third and fourth ſections of the act entitled "An act for the amendment of the law and better advancement of juſtice," paſſed the 27th of February, 1788.

And be it further enacted, That if the maſter, owner or conſignee of ſuch ſhip or veſſel, ſhall before final judgment is entered, appear before one of the judges or juſtices of the ſaid court, and enter into bonds with ſuch ſureties as in the opinion of the ſaid judge or juſtice will be ſufficient to anſwer and ſatisfy all the demands which ſhall then be actually exhibited againſt ſuch ſhip or veſſel, or diſcharge the ſame and pay the coſts of ſuit, then the ſaid ſhip or veſſel ſhall be diſcharged from the attachment and be permitted to proceed on her voyage.

And be it further enacted, That the ſaid lien ſhall ceaſe immediately after ſuch ſhip or veſſel ſhall have left this State.

That the queſtion being put, whether the committee did agree to the ſaid ſubſtitute, it was carried in the affirmative.

Mr. Wood further reported, that the committee had gone through the bill and filled up the blank, which he was directed to report to the Houſe, and he read the report in his place and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

Mr. Jenkins, from the committee of the whole Houſe, on the bill entitled "*An act relative to the lots of land reſerved for the ſupport of the goſpel and ſchools, and for the promotion of literature in the military tract in the county of Onondaga*," reported, that the committee had gone through the bill and made amendments, which he was directed to report to the Houſe, and he read the report in his place and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the amendments be engroſſed.

A meſſage from the Hon. the Senate, delivered by Mr. T. Morris and Mr. Myers, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "*An act to erect part of the towns of Middletown, Kortright and Walton, in the county of Delaware, into a ſeparate town*," with the amendments therewith delivered; which amendments were concurred in by the Houſe and the bill amended accordingly.

With the ſame meſſage was alſo received the bill entitled "*An act to erect part of the town of Woodſtock, in the county of Ulſter, into a ſeparate town*," informing, that the Senate have paſſed the ſame with the amendments therewith delivered; which amendments were concurred in by the Houſe and the bill amended accordingly.

Ordered, That Mr. J. A. De Witt and Mr. J. C. De Witt deliver the two laſt mentioned bills to the Hon. the Senate, and inform them that this Houſe have concurred in their amendments and have amended the ſaid bills accordingly.

A meſſage from the Hon. the Senate, alſo delivered by Mr. T. Morris and Mr. Myers, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "*An act granting an additional term of the Court of Common Pleas in the county of Delaware*," without amendment.

Ordered, That Mr. Deitz and Mr. De la Montagnie deliver the bill to the Hon. the Council of Reviſion.

With the ſame meſſage was alſo received the bill entitled "*An act to incorporate that part of the town of Schenectady therein mentioned*," informing, that the Senate have paſſed the ſame with the amendments therewith delivered.

Ordered, That the conſideration of the ſaid amendments be poſtponed.

Mr. De la Montagnie, from the committee of the whole Houſe, on the bill entitled "*An act for the more ſpeedy recovery of debts to the value of dollars*," reported, that in proceeding in the ſaid bill a clauſe thereof was read, and is in the words following, viz.

And if any judgment, which shall be given by virtue of this act, shall be remov into the Supreme Court by certiorari, or otherwise, and be there confirmed or re verſed, the party procuring ſuch certiorari, ſhall pay all coſts of proſecuting ſame. Provided always, that whenever any judgment ſhall be ſo reverſed, the de fendant, in error, ſhall pay all coſts of ſuit in the firſt action, to be recovered by a tion of debt before any Court having cognizance of the ſame, in which caſe executi ſhall be iſſued immediately.

That Mr. Bowman made a motion, that the ſaid clauſe ſhould be expunged; the queſtion being put, whether the committee did agree thereto, it was carried in affirmative in the manner following, viz.

For the Affirmative.

Mr. Arcularius,	Mr. Cornwell,	Mr. Howard,	Mr. J. Smith,
Mr. Baldwin,	Mr. Coryell,	Mr. Jenkins,	Mr. N. Smith,
Mr. W. Barker,	Mr. J. A. De Witt,	Mr. Kane,	Mr. T. Smith,
Mr. Benton,	Mr. J. C. De Witt,	Mr. M'Cord,	Mr. Snell,
Mr. Bird,	Mr. Dewey,	Mr. M'Farlan,	Mr. Speaker,
Mr. Bevier,	Mr. Fairlie,	Mr. M'Neal,	Mr. Teed,
Mr. Bowen,	Mr. Foot,	Mr. Metcalfe,	Mr. Ten Broeck,
Mr. Bowman,	Mr. Gettman,	Mr. Micheau,	Mr. Jeſſe Thompſon,
Mr. Boyd,	Mr. Gray,	Mr. Mitchell,	Mr. Iſrael Thompſon,
Mr. Bruyn,	Mr. Gregory,	Mr. Morſe,	Mr. Vandervoort,
Mr. Burr,	Mr. Hall,	Mr. Ogden,	Mr. Van Alſtyne,
Mr. Burling,	Mr. Hatfield,	Mr. Pearſall,	Mr. Verplanck,
Mr. Burt,	Mr. Heermance,	Mr. Pride,	Mr. Warner,
Mr. Campbell,	Mr. Hoag,	Mr. Rice,	Mr. Wendell,
Mr. Clark,	Mr. J. Hogeboom,	Mr. Robins,	Mr. Weſt,
Mr. Clifft,	Mr. K. Hogeboom,	Mr. P. I. Schuyler,	Mr. Wheeler,
Mr. Clinton,	Mr. Holly,	Mr. P. P. Schuyler,	Mr. Williamſon,
Mr. Coe,	Mr. Holt,	Mr. Skidmore,	Mr. Wood.
Mr. Comſtock,	Mr. Horton,	Mr. A. Smith,	

For the Negative.

Mr. Adams,	Mr. Carman,	Mr. Lee,	Mr. Savage,
Mr. Barber,	Mr. Deitz,	Mr. Miller,	Mr. Storm,
Mr. J. Barker,	Mr. Halſey,	Mr. Reeve,	Mr. Voſburgh.
Mr. T. Barker,			

Mr. De la Montagnie reported further progreſs, and that he was directed to ask for leave to ſit again, which was not granted by the Houſe.

Then the Houſe adjourned until three o'clock this afternoon.

Three o'clock, P. M.

The Houſe met purſuant to adjournment.

Reſolved, That Mr. Wood be, and he is hereby appointed one of the committee on the part of this Houſe, in the room of Mr. Griſwold, who is abſent, to manage the conference to be held this day on the amendments of the Hon. the Senate to the bill entitled "*An act to amend the act making alterations in the criminal law of this State, and for erecting State Priſons.*"

Ordered, That Mr. De la Montagnie and Mr. J. A. De Witt deliver a copy of the preceding reſolution to the Hon. the Senate.

The Hon. the Senate, purſuant to concurrent reſolutions of both Houſes of the Legiſlature, attended in the Aſſembly Chamber to hold a conference on the amendments to the bill entitled "*An act to amend the act for making alterations in the criminal law of this State, and for erecting State Priſons.*"

The bill and amendments were read. By the firſt of the ſaid amendments it is propoſed to add a clauſe to the bill in the words following, viz.

And be it further enacted, That every peſon who ſhall hereafter be guilty of wilfully and malicioufly burning any dwelling-houſe within this State, and every perſon who ſhall aid, abet, counſel, aſſiſt, hire or command any perſon or perſons to commit the ſaid offence, and be thereof duly convicted, ſhall ſuffer death for the ſame, and ſhall be hanged by the neck until he or ſhe ſhall be dead.

By the ſecond of the ſaid amendments it is propoſed to expunge the thirteenth ſection or clauſe of the bill, which is in the words following, viz.

And be it further enacted, That any perſon or perſons who ſhall hereafter be convicted of any crime not above the degree of petit larceny, and who ſhall be therefor adjudged to be impriſoned in any of the county priſons in this State, ſhall and may in the diſcretion of the court before whom the conviction ſhall be had, be ſentenced alſo to hard labor; and the ſupervisors of the ſeveral counties of this State ſhall direct ſuch labor to be performed as in their judgment will be moſt proper, and in general ſuperintend and direct as to the diet and mode of employment of the perſons ſentenced to impriſonment as aforeſaid; and it ſhall be lawful for the ſupervisors to raiſe an annual ſum by a tax to be aſſeſſed upon the inhabitants of the county, not exceeding two hundred dollars, for the purpoſe of purchaſing ſuch tools and materials as may be neceſſary.

By the other, or laſt of the ſaid amendments, it is propoſed to amend the 16th ſection of the bill which authorizes the Treaſurer to pay on the warrant or warrants of the Comptroller out of any unappropriated monies in the treaſury a ſum not exceeding 71,346 dollars, to the commiſſioners for building the State Priſon in the city of New-York, by adding thereto the following, viz. "and if there ſhould not be money in the treaſury ſufficient to pay any ſuch warrant, then and in every ſuch caſe, it ſhall be lawful for the Comptroller, from time to time, to borrow a ſum ſufficient for the purpoſe in the manner directed by the "*Act for appointing a Comptroller in this State.*"

Mr. Speaker, with the Houſe, attended the conferrence accordingly, and the conference being ended, the Senate withdrew.

A motion was made, that the Houſe do adhere to their reſolution of non-concurrence in the amendment of the Hon. the Senate, which relates to the puniſhment of death for the crime of arſon. Mr. Speaker put the queſtion, whether the Houſe did adhere to their ſaid reſolution, and it was carried in the affirmative in the manner following, viz.

For the Affirmative.

Mr. Adams,	Mr. Carman,	Mr. Halſey,	Mr. Rice,
Mr. Arcularius,	Mr. Clark,	Mr. Hatfield,	Mr. Robins,
Mr. Baldwin,	Mr. Cliffe,	Mr. Henry,	Mr. A. Smith,
Mr. Barber,	Mr. Clinton,	Mr. Holt,	Mr. N. Smith,
Mr. J. Barker,	Mr. Coe,	Mr. Horton,	Mr. T. Smith,
Mr. W. Barker,	Mr. Comſtock,	Mr. Hovey,	Mr. Storm,
Mr. Benton,	Mr. Coryell,	Mr. Howard,	Mr. Teed,
Mr. Bird,	Mr. De la Montagnie,	Mr. Jenkins,	Mr. Jeſſe Thompſon,
Mr. Bowen,	Mr. Dewey,	Mr. Maſon,	Mr. Iſrael Thompſon,
Mr. Bowman,	Mr. Fairlie,	Mr. M'Cord,	Mr. Joel Thompſon,
Mr. Boyd,	Mr. Fonda,	Mr. M'Neal,	Mr. Warner,
Mr. Brown,	Mr. Foot,	Mr. Mitchell,	Mr. Wheeler,
Mr. Burr,	Mr. Gray,	Mr. Moffet,	Mr. Williamſon,
Mr. Burling,	Mr. Gregory,	Mr. Potter,	Mr. Wood. 59
Mr. Burt,	Mr. Hall,	Mr. Reeve,	

For the Negative.

Mr. T. Barker,	Mr. Hoag,	Mr. Pearſall,	Mr. Ten Broeck,
Mr. Bevier,	Mr. J. Hogeboom,	Mr. Prince,	Mr. Van Alſtyne,
Mr. Bruyn,	Mr. K. Hogeboom,	Mr. Pride,	Mr. Verplank,
Mr. Campbell,	Mr. Holly,	Mr. P. I. Schuyler,	Mr. Voſburgh,
Mr. J. C. De Witt,	Mr. M'Farlan,	Mr. P. P. Schuyler,	Mr. Wendell,
Mr. Gettman,	Mr. Metcalfe,	Mr. J. Smith,	Mr. Weſt. 27
Mr. Heermance,	Mr. Ogden,	Mr. Snell,	

Ordered, That the conſideration of the other amendments be poſtponed.

Then the Houſe adjourned until nine o'clock to-morrow morning.

Wedneſday, nine o'clock, A. M. March 21ſt, 1798.

The engroſſed bill entitled "*An act for opening the navigation between Lake Erie and Lake Ontario,*" was read the third time.

Reſolved, That the bill do paſs.

The engroſſed bill entitled "*An act for granting to Alexander I. Turner and Adonijah Skinner, the excluſive right of running a ſtage-waggon on the route therein mentioned,*" was read the third time.

Reſolved, That the bill do paſs.

The engroſſed bill entitled "*An act regulating the liberties of gaols,*" was read the third time.

Reſolved, That the bill do paſs.

Ordered, That Mr. J. C. De Witt and Mr. Dewey deliver the three laſt mentioned bills to the Hon. the Senate, and requeſt their concurrence.

The bill entitled "*An act relative to the lots of land reſerved for the ſupport of the goſpel and ſchools, and for the promotion of literature in the military tract in the county of Onondaga.*" with the engroſſed amendments, was read the third time.

Reſolved, That the bill do paſs.

Ordered, That Mr. J. C. De Witt and Mr. Dewey deliver the bill to the Hon. the Senate, and inform them that this Houſe have paſſed the bill with the amendments therewith delivered.

A meſſage from the Hon. the Senate, delivered by Mr. Myers and Mr. Nicoll, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "*An act to amend the act entitled "An act for ſuppreſſing immorality,*" paſſed the 23d day of February, 1788, with the amendments therewith delivered.

The bill and amendments were read, one of the ſaid amendments was to the firſt clauſe of the ſaid bill, which is in the words following, viz.

And be it further enacted, That no tavern-keeper, ale or porter houſe keeper, inn-keeper, or any perſon or perſons, retailing ſtrong or ſpirituous liquors, ale or porter, within this State, ſhall ſell or diſpoſe of any ſuch liquors, on the firſt day of the week, commonly called Sunday, to any perſon or perſons whatſoever, (lodgers and travellers excepted) and that every perſon offending in the premiſes, and being thereof duly convicted before any Mayor, Recorder, Alderman or Juſtice of the Peace, of the city or town where the ſame ſhall have been committed, upon the view of the ſaid Mayor, Recorder, Alderman or Juſtice of the Peace, or on confeſſion of the party offending, or upon the oath of one or more credible witneſs or witneſſes, ſhall forfeit and pay, for every ſuch offence, the ſum of two dollars and fifty cents.

The Hon. the Senate amended the ſaid clauſe to read as follows, viz.

And be it further enacted, That nothing contained in this act, or the act hereby amended, ſo far as reſpects travelling, ſhall extend to any perſon or perſons, who ſhall be removing his or their families, or houſe-hold furniture; but it ſhall be lawful for ſuch perſon or perſons, peaceably and quietly to proſecute and continue ſuch removal on the firſt day of the week, called the Lord's Day, ſo that ſuch removal be not commenced on ſuch day.

Mr. Speaker put the queſtion, whether the Houſe did concur with the Hon. the Senate in their ſaid amendment, and it was carried in the affirmative in the manner following, viz.

For the Affirmative.

Mr. Arcularius,	Mr. Comſtock,	Mr. M'Cord,	Mr. A. Smith,
Mr. Baldwin,	Mr. Cornwell,	Mr. M'Farlan,	Mr. J. Smith,
Mr. Barber,	Mr. Deitz,	Mr. M'Neal,	Mr. T. Smith,
Mr. J. Barker,	Mr. De la Montagnie,	Mr. Metcalfe,	Mr. Snell,
Mr. T. Barker,	Mr. J. A. De Witt,	Mr. Miller,	Mr. Storm,
Mr. W. Barker,	Mr. J. C. De Witt,	Mr. Mitchell,	Mr. Teed,
Mr. Bowen,	Mr. Foot,	Mr. Moffet,	Mr. Ten Broeck,
Mr. Bowman,	Mr. Fort,	Mr. Pearſall,	Mr. Thomas,
Mr. Boyd,	Mr. Gettman,	Mr. Potter,	Mr. Iſrael Thompſon,
Mr. Bruyn,	Mr. Gray,	Mr. Prince,	Mr. Vandervoort,
Mr. Burling,	Mr. Gregory,	Mr. Pride,	Mr. Van Alſtyne,
Mr. Burt,	Mr. Hatheld,	Mr. Reeve,	Mr. Voſburgh,
Mr. Campbell,	Mr. Heermance,	Mr. Rice,	Mr. Warner,
Mr. Carman,	Mr. Henry,	Mr. Robins,	Mr. Wendell,
Mr. Clark,	Mr. Horton,	Mr. Savage,	Mr. Weſt,
Mr. Clifft,	Mr. Lee,	Mr. P. P. Schuyler,	Mr. Wheeler,
Mr. Clinton,	Mr. Maſon,	Mr. Skidmore,	Mr. Wood.
Mr. Coe,			

For the Negative.

Mr. Adams,	Mr. Fairlie,	Mr. Hovey,	Mr. Ogden,
Mr. Benton,	Mr. Hall,	Mr. Howard,	Mr. P. I. Schuyler,
Mr. Bevier,	Mr. Halſey,	Mr. Hunt,	Mr. N. Smith,
Mr. Brown,	Mr. Hoag,	Mr. Jenkins,	Mr. Jeſſe Thompſon,
Mr. Burr,	Mr. K. Hogeboom,	Mr. Kane,	Mr. Joel Thompſon,
Mr. Coryell,	Mr. Holly,	Mr. Michean,	Mr. Verplank.
Mr. Dewey,	Mr. Holt,	Mr. Morſe,	

Thereupon, *Reſolved*, That this Houſe do concur with the Hon. the Senate in their amendments to the ſaid bill.

With the ſame meſſage was alſo received the bill entitled "*An act to incorporate the utual Aſſurance Company in the city of New-York,*" with the amendments therewith elivered; the bill and amendments were read, and the amendments being read a ſe- nd time, were concurred in by the Houſe and the bill amended accordingly.

Ordered, That Mr. J. C. De Witt and Mr. Dewey deliver the two laſt mentioned lls to the Hon. the Senate, and inform them that this Houſe have concurred in the nendments to the ſaid bills reſpectively, and have amended the ſame accord- gly.

A meſſage from the Hon. the Senate, alſo delivered by Mr. T. Morris and Mr. yers, with the bill therein mentioned, was read, that the Senate have paſſed the ill entitled "*An act relative to the corporation for the relief of the widows and children of ergymen in the communion of the Proteſtant Epiſcopal Church in America, and for inſti- ting a new corporation within this State for ſimilar purpoſes,*" without amendment.

The Hon. the Senate returned by Mr. T. Morris and Mr. Myers, the bill entitled *An act for dividing the town of Woodſtock in the county of Ulſter,*" and the bill entitled *An act to erect part of the towns of Middletown, Kortright and Walton, in the county of elaware, into a ſeparate town.*"

Ordered, That Mr. Dewey and Mr. Fairlie deliver the three laſt mentioned bills the Hon. the Council of Reviſion.

A meſſage from his Excellency the Governor, delivered by his private ſecretary, as read, and is in the words following, viz.

GENTLEMEN,

In purſuance of your reſolution of the 19th inſtant, I have taken meaſures to be nformed of the preſent intentions of the government of the United States relative to utting the city and port of New-York in a reſpectable ſtate of defence. On re- eiving that information, it ſhall be immediately communicated to you.

As the conſtitution of the United States has committed to our national govern- ent the power, and the means, and the duty of providing for the national defence, is to be expected as well as hoped that due attention will be paid to the ſecurity f a city and port ſo obviouſly and eſſentially important not only to this State, but the United States.

But at this juncture, when prudence forbids delay, it, in my opinion, deſerves to e conſidered, whether it would be adviſeable for the Legiſlature to adjourn until ey ſee this great object provided for; and whether exiſting circumſtances do not ſtify a confidence, that the United States will cheerfully aſſume the expence of ſuch dicious meaſures as this State may take for that purpoſe.

Urgent conſiderations alſo recommend, that our ſupply of arms and ſtores be ſea- nably augmented and made ample; and that no time be loſt in perfecting thoſe ilitary arrangements and eſtabliſhments, to which menacing circumſtances admoniſh s to attend. On theſe ſubjects, the Legiſlature already poſſeſs much information, nd I expect ſoon to furniſh you with additional details: At preſent, it may be pro- er to obſerve, that, according to an eſtimate made the laſt year, about ſixty thou- nd dollars will be neceſſary to finiſh the fortifications on the three iſlands in the arbor of New-York.

JOHN JAY.

ALBANY, *March 21ſt*, 1798.

Ordered, That the meſſage of his Excellency the Governor be committed to a com- ittee of the whole Houſe.

Ordered, That 150 copies of ſaid meſſage be forthwith printed for the uſe of the embers of this Houſe.

Ordered, That the report of the committee on the meſſage of his Excellency the overnor of the 5th inſtant, and on the petition of the New-York Chamber of Com- erce, be committed to the committee of the whole Houſe when on the meſſage of is Excellency the Governor of this day.

Six ſeveral petitions of inhabitants of the city of New-York, praying that meaſures ay be taken for putting the port and harbor of New-York in a reſpectable ſtate of efence, were read, and committed to the committee of the whole Houſe when on the id laſt mentioned meſſage.

A meſſage from the Hon. the Senate, delivered by Mr. Nicoll and Mr. Phelps, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled *"An act for the relief of Joſeph Mabee and others, entitled to the right of pre-emption lands in the Oneida reſervation,"* to which they requeſt the concurrence of this House. The ſaid bill was read the firſt time and ordered a ſecond reading.

The Hon. the Senate returned by Mr. Nicoll and Mr. Phelps, the bill entitled *"An act to divide the town of Canajoharie into two towns."*

Ordered, That Mr. Foot and Mr. Fort deliver the bill to the Hon. the Council of Reviſion.

The Houſe proceeded to the conſideration of the amendments of the Hon. the Senate to the bill entitled *"An act to incorporate that part of the patent of Schenectada therein mentioned."* The bill and amendments were read, and the amendments being read a ſecond time, were concurred in by the Houſe, and the bill amended accordingly.

Ordered, That Mr. Fairlie and Mr. Foot deliver the bill to the Hon. the Senate and inform them that this Houſe have concurred in their amendments, and have amended the bill accordingly.

A petition of James Caldwell and others, inhabitants of that part of the town of Watervliet lying north of the city of Albany, and extending to the mills of Stephen Van Renſſelaer, Eſq. praying that a law may be paſſed to enable them at their own expenſe to erect a market-houſe in that part of Watervliet aforeſaid, with ſuitable power to regulate the ſame, was read, and referred to the Members attending in this Houſe from the city and county of Albany.

Mr. Savage, purſuant to notice by him for that purpoſe heretofore given, moved for and obtained leave to bring in a bill entitled *"An act for the relief of the Truſtees of the Firſt Preſbyterian Congregation adhering to the Aſſociate Reformed Synod in Salem, in the county of Waſhington,"* which was read the firſt time and ordered a ſecond reading.

The Houſe proceeded to the further conſideration of their reſolution of non-concurrence in the amendments of the Hon. the Senate to the bill entitled *"An act to amend the act for making alterations in the criminal law of this State, and for erecting State Priſons."* A motion was made that the Houſe do recede from their reſolution of non-concurrence in the amendment to the ſaid bill which propoſes to expunge the 13th clauſe thereof. Mr. Speaker put the queſtion whether the Houſe did recede from their ſaid reſolution, and it was carried in the affirmative.

A motion was then made that the Houſe do recede from their reſolution of non-concurrence in the laſt amendment to the ſaid bill, which relates to the authorizing the Comptroller to borrow money. Mr. Speaker put the queſtion whether the Houſe did recede from their ſaid reſolution, and it paſſed in the negative in the manner following, viz.

For the Negative.

Mr. Adams,	Mr. Cornwell,	Mr. Howard,	Mr. Rice,
Mr. Baldwin,	Mr. J. C. De Witt,	Mr. Maſon,	Mr. P. P. Schuyler,
Mr. Barber,	Mr. Dewey,	Mr. M'Cord,	Mr. J. Smith,
Mr. J. Barker,	Mr. Fort,	Mr. M'Farlan,	Mr. N. Smith,
Mr. T. Barker,	Mr. Gettman,	Mr. Metcalfe,	Mr. Snell,
Mr. W. Barker,	Mr. Gray,	Mr. Micheau,	Mr. Ten Broeck,
Mr. Benton,	Mr. Gregory,	Mr. Miller,	Mr. Thomas,
Mr. Bevier,	Mr. Halſey,	Mr. Moffet,	Mr. Iſrael Thompſon,
Mr. Bruyn,	Mr. Hatfield,	Mr. Ogden,	Mr. Van Alſtyne,
Mr. Burt,	Mr. Heermance,	Mr. Pearſall,	Mr. Verplank,
Mr. Carman,	Mr. Hoag,	Mr. Prince,	Mr. Voſburgh,
Mr. Clark,	Mr. J. Hogeboom,	Mr. Pride,	Mr. Wendell,
Mr. Cliffe,	Mr. K. Hogeboom,	Mr. Reeve,	Mr. Wheeler.
Mr. Comſtock,			

For the Affirmative.

Mr. Arcularius,	Mr. Coryell,	Mr. Hovey,	Mr. A. Smith,
Mr. Bird,	Mr. Deitz,	Mr. Hunt,	Mr. T. Smith,
Mr. Bowen,	Mr. De la Montagnie,	Mr. Jenkins,	Mr. Storm,
Mr. Bowman,	Mr. J. A. De Witt,	Mr. Kane,	Mr. Teed,
Mr. Boyd,	Mr. Fairlie,	Mr. M'Neal,	Mr. Jeſſe Thompſon,
Mr. Brown,	Mr. Foot,	Mr. Morſe,	Mr. Joel Thompſon,
Mr. Burr,	Mr. Hall,	Mr. Potter,	Mr. Vandervoort,
Mr. Burling,	Mr. Henry,	Mr. Robins,	Mr. Warner,
Mr. Campbell,	Mr. Holly,	Mr. Savage,	Mr. Weſt,
Mr. Clinton,	Mr. Holt,	Mr. P. I. Schuyler,	Mr. Williamſon,
Mr. Coe,	Mr. Horton,	Mr. Skidmore,	Mr. Wood.

Mr. Wood then made a motion that the Houſe ſhould agree to reconſider the ſaid queſtion. Mr. Speaker put the queſtion whether the Houſe did agree to the motion of Mr. Wood, and it was carried in the affirmative in the manner following, viz.

For the Affirmative.

Mr. Arculárius,	Mr. Coryell,	Mr. Jenkins,	Mr. Skidmore,
Mr. Barber,	Mr. Deitz,	Mr. Kane,	Mr. A. Smith,
Mr. J. Barker,	Mr. De la Montagnie,	Mr. M'Cord,	Mr. T. Smith,
Mr. T. Barker,	Mr. J. A. De Witt,	Mr. M'Neal,	Mr. Storm,
Mr. W. Barker,	Mr. Fairlie,	Mr. Micheau,	Mr. Teed,
Mr. Bird,	Mr. Foot,	Mr. Miller,	Mr. Thomas,
Mr. Bowen,	Mr. Gray,	Mr. Morſe,	Mr. Jeſſe Thompſon,
Mr. Bowman,	Mr. Hall,	Mr. Potter,	Mr. Iſrael Thompſon,
Mr. Boyd,	Mr. Halſey,	Mr. Prince,	Mr. Joel Thompſon,
Mr. Brown,	Mr. Henry,	Mr. Reeve,	Mr. Vandervoort,
Mr. Burr,	Mr. Holly,	Mr. Rice,	Mr. Verplank,
Mr. Burling,	Mr. Holt,	Mr. Robins,	Mr. Warner,
Mr. Burt,	Mr. Horton,	Mr. Savage,	Mr. Weſt,
Mr. Clinton,	Mr. Hovey,	Mr. P. I. Schuyler,	Mr. Williamſon,
Mr. Coe,	Mr. Howard,	Mr. P. P. Schuyler,	Mr. Wood. 62
Mr. Cornwell,	Mr. Hunt,		

For the Negative.

Mr. Adams,	Mr. Comſtock,	Mr. Hoag,	Mr. J. Smith,
Mr. Baldwin,	Mr. J. C. De Witt,	Mr. J. Hogeboom,	Mr. N. Smith,
Mr. Benton,	Mr. Dewey,	Mr. Maſon,	Mr. Snell,
Mr. Bevier,	Mr. Fort,	Mr. Metcalfe,	Mr. Ten Broeck,
Mr. Bruyn,	Mr. Gettman,	Mr. Moffet,	Mr. Van Alſtyne,
Mr. Campbell,	Mr. Gregory,	Mr. Ogden,	Mr. Voſburgh,
Mr. Carman,	Mr. Hatfield,	Mr. Pearſall,	Mr. Wendell,
Mr. Clark,	Mr. Heermance,	Mr. Pride,	Mr. Wheeler. 33
Mr. Clifft,			

A meſſage from the Hon. the Council of Reviſion, delivered by the Hon. the Chief Juſtice, was read, that it does not appear improper to the Council that the bill entitled "*An act to incorporate the Fire-Men of the city of New-York,*" and the bill entitled "*An act for granting an additional term of the Court of Common Pleas in the county of Delaware,*" ſhould ſeverally become laws of this State.

A petition of Andrew Cowan, an alien, praying that he may be enabled by law to purchaſe and hold real eſtates within this State, was read, and committed to the committee of the whole Houſe when on the bill entitled "*An act to enable certain perſons therein named to purchaſe and hold real eſtates within this State.*"

Mr. Clinton, from the committee of the whole Houſe, on the bill entitled "*An act to erect part of the counties of Ulſter and Orange into a ſeparate county,*" reported, that after the ſaid bill had been read in the committee, Mr. M'Cord made a motion that the committee ſhould agree to a ſubſtitute in lieu of the ſaid bill, which was read, and with its title is in the words following, viz.

An act for altering the place of holding ſome of the terms of the courts of Common Pleas and General Seſſions of the Peace, in and for the county of Ulſter.

Whereas for the greater eaſe and convenience of many of the citizens of the county of Ulſter, it is expedient that two of the terms of the court of Common Pleas, and one of the terms of the court of General Seſſions of the Peace of ſaid county, ſhould be held in the ſouthern part thereof. Therefore,

Be it enacted by the people of the State of New-York repreſented in Senate and Aſſembly, That from and after the paſſing of this act, the courts of Common Pleas which are now held in and for the county of Ulſter at the court-houſe in the ſame county on the firſt Tueſday of July, and third Tueſday in September, in every year, ſhall be held hereafter on the firſt Tueſday of July, and the third Tueſday in September in every year, and may continue and be held until the ſeveral Saturdays next following, incluſive, at the academy in the town of in ſaid county; and that the court of General Seſſions of the Peace, which is now held in and for the county of Ulſter, at the court-houſe in ſaid county, on the third Tueſday of September, ſhall hereafter be held at the ſaid academy in the town of in the ſaid county, and may continue and be held until the Saturday next following, incluſive.

And be it further enacted, That ſo much of the act entitled "*An act concerning the courts of Common Pleas, and General Seſſions of the Peace,*" as reſpects the holding of the courts of Common Pleas in and for the county of Ulſter, on the firſt Tueſday of July and third Tueſday of September, in every year, at the court-houſe in the ſame county, and alſo ſo much of the ſaid act as reſpects the holding the court of General Seſſions of the Peace on the third Tueſday of September in every year, be, and the ſame are hereby repealed.

That the queſtion being put whether the committee did agree to the ſaid ſubſtitute, it paſſed in the negative.

That Mr. M'Cord then made a motion that the committee ſhould agree to reject the ſaid bill. That debates were had thereon, and the queſtion being put whether the committee did agree thereto, it paſſed in the negative in the manner following, viz.

For the Negative.

Mr. Adams,	Mr. Gray,	Mr. Morſe,	Mr. Snell,
Mr. T. Barker,	Mr. Hall,	Mr. Ogden,	Mr. Storm,
Mr. Benton,	Mr. Halſey,	Mr. Pearſall,	Mr. Speaker,
Mr. Bird,	Mr. Heermance,	Mr. Potter,	Mr. Teed,
Mr. Bowen,	Mr. Hoag,	Mr. Pride,	Mr. Ten Broeck,
Mr. Bowman,	Mr. Holt,	Mr. Reeve,	Mr. Thomas,
Mr. Brown,	Mr. Hovey,	Mr. Rice,	Mr. Jeſſe Thompſon,
Mr. Burr,	Mr. Howard,	Mr. Robins,	Mr Joel Thompſon,
Mr. Campbell,	Mr. Kane,	Mr. Savage,	Mr. Vandervoort,
Mr. Clark,	Mr. Maſon,	Mr. P. I. Schuyler,	Mr. Van Alſtyne,
Mr. Clifft,	Mr. M'Neal,	Mr Skidmore,	Mr. Verplank,
Mr. Cornwell,	Mr. Micheau,	Mr. A. Smith,	Mr. Wendell,
Mr. Coryell,	Mr. Miller,	Mr. J. Smith,	Mr. Wheeler,
Mr. Foot,	Mr. Mitchell,	Mr. N. Smith,	Mr. Williamſon. 38
Mr. Fort,	Mr. Moffet,		

For the Affirmative.

Mr. Arcularius,	Mr. Bruyn,	Mr. J. C. De Witt,	Mr. M'Cord,
Mr. Baldwin,	Mr. Burling,	Mr. Hatfield,	Mr. T. Smith,
Mr. Barber,	Mr. Coe,	Mr. Horton,	Mr. Iſrael Thompſon,
Mr. Bevier,	Mr. Deitz,	Mr. Hunt,	Mr. Vosburgh, 19
Mr. Boyd,	Mr. J. A. De Witt,	Mr. Jenkins,	

Mr. Clinton further reported, that the committee had gone through the bill, added clauſes, and filled up the blanks, which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

Then the Houſe adjourned until nine o'clock to-morrow morning.

Thurſday, nine o'clock, A. M. March 22d, 1798.

The engroſſed bill entitled "*An act to erect part of the counties of Ulſter and Orange into a ſeparate county,*" was read the third time.

Mr. Speaker put the queſtion, whether the bill ſhould paſs, and it was carried in the affirmative in the manner following, viz.

For the Affirmative.

Mr. Adams,	Mr. Coryell,	Mr. M'Farlan,	Mr. Skidmore,
Mr. J. Barker,	Mr. Deitz,	Mr. Micheau,	Mr. J. Smith,
Mr. T. Barker,	Mr. Dewey,	Mr. Miller,	Mr. N. Smith,
Mr. W. Barker,	Mr. Fonda,	Mr. Moffet,	Mr. Storm,
Mr. Benton,	Mr. Fort,	Mr. Morſe,	Mr. Teed,
Mr. Bowen,	Mr. Gettman,	Mr. Ogden,	Mr. Jeſſe Thompſon,
Mr. Bowman,	Mr. Gray,	Mr. Pearſall,	Mr. Joel Thompſon,
Mr. Boyd,	Mr. Gregory,	Mr. Potter,	Mr. Vandervoort,
Mr. Brown,	Mr. Hatfield,	Mr. Prince,	Mr. Van Alſtyne,
Mr. Burt,	Mr. Heermance,	Mr. Reeve,	Mr. Verplank,
Mr. Carman,	Mr. Henry,	Mr. Robins,	Mr. Wendell,
Mr. Clifft,	Mr. Holt,	Mr. Savage,	Mr. Weſt,
Mr. Comſtock,	Mr. Howard,	Mr. P. I. Schuyler,	Mr. Wheeler, 55
Mr. Cornwell,	Mr. Kane,	Mr. P. P. Schuyler,	

For the Negative.

Mr. Arcularius,	Mr. Coe,	Mr. Horton,	Mr. Ten Broeck,
Mr. Baldwin,	Mr. J. A. De Witt,	Mr. M'Cord,	Mr. Iſrael Thompſon,
Mr Bevier,	Mr. J. C. De Witt,	Mr. A. Smith,	Mr. Voſburgh,
Mr. Bruyn,	Mr. Halſey,	Mr. T. Smith,	Mr. Warner,
Mr. Campbell,	Mr. J. Hogeboom,	Mr. Snell,	Mr. Wood. 22
Mr. Clinton,	Mr. Holly,		

Reſolved, That the bill do paſs.

The engroſſed bill entitled "*An act to erect Curryſbuſh, or the patent granted to John Curry, together with the church land adjoining to the patent of Schenectady, on the ſouth ſide of the Mohawk river, into a ſeparate town,*" was read the third time.

Reſolved, That the bill do paſs.

Ordered, That Mr. Gettman and Mr. Gray deliver the two laſt mentioned bills to the Hon. the Senate, and requeſt their concurrence.

The bill entitled "*An act for the relief of Joſeph Mabee and others, entitled to the right of pre-emption of lands in the Oneida reſervation,*" was read a ſecond time, and committed to a committee of the whole Houſe.

The bill entitled "*An act for the relief of the Truſtees of the firſt Preſbyterian Congregation adhering to the Aſſociate Reformed Synod in Salem, in the county of Waſhington,*" was read the ſecond time, and committed to a ſelect committee, conſiſting of Mr. Storm, Mr. Savage and Mr. Coe.

A petition of Thomas Hartwell, praying a grant of bounty lands for his ſervices during the late war, was read, and committed to a committee of the whole Houſe, when on the bill entitled "*An act for aſcertaining the perſons entitled to bounty lands for military ſervices.*"

A petition of Lucas Van Vechten and others, remonſtrating againſt granting the prayer of the petition of James Caldwell and others, relative to the erection of a market in that part of the town of Watervliet lying north of the city of Albany, was read and referred to the Members attending in this Houſe from the city and county of Albany.

The Comptroller, to whom was referred the petition of Catharine Kittle, reported, That in the year 1777, the perſonal eſtate of the petitioner's late huſband, Andries Kittle, was ſeized by the commiſſioners of ſequeſtration in the Southern Diſtrict of the county of Albany. The petitioner thereupon preſented a petition to the then Council of Safety, praying that ſhe might retain that part of her huſband's eſtate which was derived from her; and produced affidavits ſetting forth her ſteady attachment to the cauſe and liberties of America: And the Council, on the 6th of December, 1777, ordered the commiſſioners to aſcertain the effects which the ſaid Andries Kittle derived from, or acquired by her, and to permit them to remain in her care and cuſtody. The reſidue of the eſtate ſo ſeized, was ſold by the commiſſioners on the 15th of December, 1777, for 1144l. 12 10, continental currency, as appears by their account; which ſum, according to the ſcale of depreciation, was then equal to 23l. 9 7, in ſpecie. The ſaid Andries Kittle was afterwards convicted of the offence of adhering to the enemies of the United States, and his eſtate thereby became forfeited to the people of this State; but inſtead of diſpoſing of his real eſtate, the Legiſlature permitted the petitioner to poſſeſs it; and by an act paſſed the 6th of February, 1789, the real and perſonal eſtate, ſo forfeited, was veſted in the petitioner, except ſuch parts of the real eſtate as might have been ſold by the commiſſioners of forfeitures, and except ſo much of the perſonal eſtate as had been ſold by the commiſſioners of ſequeſtration, or paid into the treaſury, or remitted to the debtors; and the petitioner was thereby ſubjected to the payment of her huſband's debts, as far as the ſaid eſtate would extend. The Comptroller has not diſcovered, nor has he any reaſon to believe that any part of the eſtate was ſold for, or in behalf of the State, or paid into the treaſury, except the goods ſold by the commiſſioners of ſequeſtration. The petitioner ſtates that the property which her huſband had derived from her, had been ſo changed by him, that the order of the Council of Safety proved of little advantage to her; and that his debts being conſiderable, ſhe was unable to avail herſelf of the bounty of the Legiſlature, and is become a dependant on charity. She therefore prays, that the Legiſlature would order a part of the eſtate

which has been paid into the treaſury from the ſales of her huſband's property, to be applied to the ſupport of her failing years. No proof is offered of the change of the property derived from the petitioner by her huſband, or of the extent of his debts: But, ſuppoſing her ſuggeſtions to be true, thoſe circumſtances give her no claim againſt the State. The Comptroller is therefore of opinion that ſhe is not entitled to any relief.

SAMUEL JONES, *Comptroller.*

ALBANY, *March 20th*, 1798.

Reſolved, That this Houſe do agree with the Comptroller in his ſaid report.

A petition of Henry Sitney and Jacob Sitney, praying a grant of vacant lands ſituate in the county of Schoharie, was read and referred to the Surveyor-General.

Ordered, That it be the order of the day on to-morrow, for this Houſe to reſolve itſelf into a committee of the whole Houſe, on the bill entitled "*An act to amend the act entitled "An act for the further ſale of the unappropriated lands of this State,*" and alſo on the bill entitled "*An act to erect part of the counties of Ulſter and Albany into a ſeparate county.*"

Ordered, That the committee of the whole Houſe be diſcharged from the further conſideration of the bill entitled "*An act for the relief of the executors of Abraham Wing, deceaſed,*" and that the ſame be committed to a ſelect committee, conſiſting of Mr. Metcalfe, Mr. Maſon and Mr. Comſtock.

Ordered, That the committee of the whole Houſe be diſcharged from the further conſideration of the bill entitled "*An act to cede the juriſdiction of a certain tract of land on Eaton's Neck to the United States,*" and that the ſame be committed to a ſelect committee, conſiſting of Mr. Wood, Mr. Brown and Mr. Carman.

A meſſage from the Hon. the Senate, delivered by Mr. Phelps and Mr. Ruſſell, with the bill therein mentioned, was read, that the Senate have concurred in the amendments of this Houſe to the bill entitled "*An act relative to the lots of land reſerved for the ſupport of the Goſpel and ſchools, and for the promotion of literature, in the military tract in the county of Onondaga,*" and have amended the ſame accordingly.

Ordered, That Mr. Gray and Mr. Gregory return the bill to the Hon. the Senate.

With the ſame meſſage was alſo received the bill entitled "*An act ſupplementary to an act entitled "An act for raiſing monies in the city of Hudſon for the ſupport of a night-watch,*" and the bill entitled "*An act to authorize the Mayor, Aldermen and Commonalty of the city of Albany to raiſe a ſum by tax for defraying the expenſe of lighting the lamps and for the ſupport of a night-watch in the ſaid city,*" without amendments.

Ordered, That Mr. Gregory and Mr. Hall deliver the ſaid laſt mentioned bills to the Hon. the Council of Reviſion.

The Houſe proceeded to the reconſideration of their reſolution of non-concurrence in the amendment of the Hon. the Senate to the bill entitled "*An act to amend the act making alterations in the criminal law of this State, and for erecting State Priſons,*" which relates to authorizing the Comptroller to borrow money.

A motion was made that the Houſe do recede from their reſolution of non-concurrence in the ſaid amendment. Mr. Speaker put the queſtion whether the Houſe did recede from their ſaid reſolution, and it was carried in the affirmative in the manner following, viz.

For the Affirmative.

Mr. Adams,	Mr. J. A. De Witt,	Mr. Howard,	Mr. A. Smith,
Mr. Arcularius,	Mr. Fairlie,	Mr. Hunt,	Mr. T. Smith,
Mr. J. Barker,	Mr. Fonda,	Mr. Jenkins,	Mr. Storm,
Mr. Bowen,	Mr. Foot,	Mr. K ne,	Mr. Teed,
Mr. Bowman,	Mr. Gray,	Mr. M'Neal,	Mr. Jeſſe Thompſon,
Mr. Boyd,	Mr. Hall,	Mr. Miller,	Mr. Iſrael Thompſon,
Mr. Brown,	Mr. Halſey,	Mr. Morſe,	Mr. Joel Thompſon,
Mr. Burling,	Mr. Henry,	Mr. Ogden,	Mr. Vandervoort,
Mr. Clinton,	Mr. Holly,	Mr. Potter,	Mr. Warner,
Mr. Coe,	Mr. Holt,	Mr Robins,	Mr. Weſt,
Mr. Coryell,	Mr Horton,	Mr Savage,	Mr. Wood.
Mr. De la Montagnie,	Mr. Hovey,	Mr. Skidmore,	

For the Negative.

Mr. Baldwin,	Mr. Clift,	Mr. Hoag,	Mr. Rice,
Mr. Barber,	Mr. Comſtock,	Mr. J. Hogeboom,	Mr. P. P. Schuyler,
Mr. T. Barker,	Mr. Cornwell,	Mr. K. Hogeboom,	Mr. J. Smith,
Mr. W. Barker,	Mr. Deitz,	Mr. M'Cord,	Mr. N. Smith,
Mr. Benton,	Mr. J. C. De Witt,	Mr. M'Farlan,	Mr. Snell,
Mr. Bevier,	Mr. Dewey,	Mr. Metcalfe,	Mr. Ten Broeck,
Mr. Bruyn,	Mr. Fort,	Mr. Micheau,	Mr. Van Alſtyne,
Mr. Burt,	Mr. Gettman,	Mr. Pearſall,	Mr. Verplank,
Mr. Campbell,	Mr. Gregory,	Mr. Prince,	Mr. Voſburgh,
Mr. Carman,	Mr. Hatfield,	Mr. Pride,	Mr. Wendell,
Mr. Clark,	Mr. Heermance,	Mr. Reeve,	Mr. Wheeler. 44

Thereupon, *Reſolved*, That this Houſe do adhere to their reſolution of non-concurrence in the amendment of the Hon. the Senate to the ſaid bill which propoſes to inflict the puniſhment of death for the crime of arſon, and do concur in their other amendments to the ſaid bill.

Ordered, That Mr. Fort and Mr. Gettman deliver the bill, amendments and a copy of the preceding reſolution to the Hon. the Senate.

Mr. Wood, from the ſelect committee to whom was committed the bill entitled "*An act to cede the juriſdiction of a certain tract of land on Eaton's Neck to the United States*," reported, that the committee had gone through the bill and filled up the blank, which he was directed to report to the Houſe, and he read the report in his place and delivered the ſame in at the table, where it was again read.

A motion was made that the word "*ten*" in the ſaid bill ſhould be expunged. Mr. Speaker put the queſtion whether the Houſe did agree to expunge the ſaid word, and it paſſed in the negative in the manner following, viz.

For the Negative.

Mr. Adams,	Mr. De la Montagnie,	Mr. Maſon,	Mr. P. P. Schuyler,
Mr. J. Barker,	Mr. J. A. De Witt,	Mr. M'Farlan,	Mr. N. Smith,
Mr. T. Barker,	Mr. Dewey,	Mr. M'Neal,	Mr. Snell,
Mr. W. Barker,	Mr. Fonda,	Mr. Metcalfe,	Mr. Teed,
Mr. Benton,	Mr. Fort,	Mr. Miller,	Mr. Jeſſe Thompſon,
Mr. Bowman,	Mr. Gettman,	Mr. Mitchell,	Mr. Joel Thompſon,
Mr. Brown,	Mr. Gray,	Mr. Moffet,	Mr. Verplank,
Mr. Burr,	Mr. Hall,	Mr. Morſe,	Mr. Voſburgh,
Mr. Campbell,	Mr. Heermance,	Mr. Ogden,	Mr. Warner,
Mr. Carman,	Mr. J. Hogeboom,	Mr. Potter,	Mr. Wendell,
Mr. Clift,	Mr. Holly,	Mr. Pride,	Mr. Weſt,
Mr. Clinton,	Mr. Horton,	Mr. Reeve,	Mr. Wheeler,
Mr. Coe,	Mr. Howard,	Mr. Rice,	Mr. Williamſon,
Mr. Cornwell,	Mr. Hunt,	Mr. Robins,	Mr. Wood. 58
Mr. Coryell,	Mr. Kane,		

For the Affirmative.

Mr. Arcularius,	Mr. Comſtock,	Mr. K. Hogeboom,	Mr. A. Smith,
Mr. Baldwin,	Mr. Deitz,	Mr. Holt,	Mr. J. Smith,
Mr. Barber,	Mr. J. C. De Witt,	Mr. Hovey,	Mr. T. Smith,
Mr. Bevier,	Mr. Fairlie,	Mr. Jenkins,	Mr. Storm,
Mr. Bowen,	Mr. Foot,	Mr. M'Cord,	Mr. Ten Broeck,
Mr. Boyd,	Mr. Halſey,	Mr. Micheau,	Mr. Iſrael Thompſon,
Mr. Bruyn,	Mr. Hatfield,	Mr. Pearſall,	Mr. Vandervoort,
Mr. Burling,	Mr. Henry,	Mr. Savage,	Mr. Van Alſtyne. 35
Mr. Burt,	Mr. Hoag,	Mr. Skidmore,	

Mr. Speaker then put the queſtion whether the Houſe did agree with the committee in their ſaid report, and it was carried in the affirmative.

Ordered, That the bill be engroſſed.

A meſſage from the Hon. the Senate, delivered by Mr. Ruſſell and Mr. Sands, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "*An act for the relief of John Porteous and Alexander Ellice*," with the amendments herewith delivered.

Ordered, That the conſideration thereof be poſtponed.

Mr. J. Hogeboom, from the committee of the whole Houſe, on the bill entitled "*An act for the gradual abolition of ſlavery*," reported the proceedings of the committee to have been as follows, viz. that after the ſaid bill had been read in the committee, the firſt enacting clauſe thereof was again read, and is in the words following, viz.

Be it enacted by the people of the State of New-York repreſented in Senate and Aſſembly, That all children born either of Negro or Mulatto ſlaves within this State after the day of ſhall be deemed and adjudged to be

born free. Provided nevertheleſs, that ſuch children ſhall be the ſervants of the legal proprietors of their reſpective mothers, and of their executors, adminiſtrators and aſſigns, until ſuch ſervants ſhall reſpectively arrive at the age of

That debates were had thereon, and the queſtion being put, whether the committee did agree thereto, it was carried in the affirmative in the manner following, viz.

For the Affirmative.

Mr. Adams,	Mr. Clinton,	Mr. Howard,	Mr. Savage,
Mr. Arcularius,	Mr. Coe,	Mr. Hunt,	Mr. P. I. Schuyler,
Mr. Baldwin,	Mr. Comſtock,	Mr. Jenkins,	Mr. A. Smith,
Mr. Barber,	Mr. De la Montagnie,	Mr. Kane,	Mr. N. Smith,
Mr. J. Barker,	Mr. Dewey,	Mr. Maſon,	Mr. T. Smith,
Mr. T. Barker,	Mr. Fairlie,	Mr. M'Cord,	Mr. Storm,
Mr. W. Barker,	Mr. Fonda,	Mr. M'Neal,	Mr. Teed,
Mr. Bowen,	Mr. Foot,	Mr. Metcalfe,	Mr. Iſrael Thompſon,
Mr. Bowman,	Mr. Gray,	Mr. Miller,	Mr. Jeſſe Thompſon,
Mr. Boyd,	Mr. Gregory,	Mr. Mitchell,	Mr. Joel Thompſon,
Mr. Brown,	Mr. Hall,	Mr. Moffet,	Mr. Verplank,
Mr. Burr,	Mr. Halſey,	Mr. Morſe,	Mr. Warner,
Mr. Burling,	Mr. Henry,	Mr. Potter,	Mr. Wheeler,
Mr. Burt,	Mr. Holly,	Mr. Pride,	Mr. Williamſon,
Mr. Clark,	Mr. Holt,	Mr. Reeve,	Mr. Wood.
Mr. Clift,	Mr. Hovey,	Mr. Robins,	

For the Negative.

Mr. Benton,	Mr. J. A. De Witt,	Mr. Micheau,	Mr. Snell,
Mr. Bevier,	Mr. J. C. De Witt,	Mr. Ogden,	Mr. Ten Broeck,
Mr. Bruyn,	Mr. Hatfield,	Mr. Pearſall,	Mr. Thomas,
Mr. Campbell,	Mr. Heermance,	Mr. Prince,	Mr. Vandervoort,
Mr. Carman,	Mr. Hoag,	Mr. Rice,	Mr. Van Alſtyne,
Mr. Cornwell,	Mr. K. Hogeboom,	Mr. P. P. Schuyler,	Mr. Voſburgh,
Mr. Coryell,	Mr. Horton,	Mr. Skidmore,	Mr. Wendell,
Mr. Deitz,	Mr. M'Farlan,	Mr. J. Smith,	Mr. Weſt.

That Mr. P. P. Schuyler made a motion, that the committee ſhould agree to reject the ſaid bill; that the queſtion being put, whether the committee did agree thereto, it paſſed in the negative in the manner following, viz.

For the Negative.

Mr. Arcularius,	Mr. De la Montagnie,	Mr. Hunt,	Mr. P. I. Schuyler,
Mr. Baldwin,	Mr. Dewey,	Mr. Jenkins,	Mr. A. Smith,
Mr. J. Barker,	Mr. Fairlie,	Mr. Kane,	Mr. N. Smith,
Mr. T. Barker,	Mr. Fonda,	Mr. Maſon,	Mr. T. Smith,
Mr. W. Barker,	Mr. Foot,	Mr. M'Cord,	Mr. Storm,
Mr. Bowen,	Mr. Gray,	Mr. M'Neal,	Mr. Speaker,
Mr. Bowman,	Mr. Gregory,	Mr. Metcalfe,	Mr. Teed,
Mr. Boyd,	Mr. Hall,	Mr. Miller,	Mr. Jeſſe Thompſon,
Mr. Brown,	Mr. Halſey,	Mr. Mitchell,	Mr. Iſrael Thompſon,
Mr. Burr,	Mr. Henry,	Mr. Moffet,	Mr. Joel Thompſon,
Mr. Burling,	Mr. Holly,	Mr. Morſe,	Mr. Verplank,
Mr. Burt,	Mr. Holt,	Mr. Potter,	Mr. Warner,
Mr. Clark,	Mr. Horton,	Mr. Reeve,	Mr. Wheeler,
Mr. Clinton,	Mr. Hovey,	Mr. Robins,	Mr. Williamſon,
Mr. Coe,	Mr. Howard,	Mr. Savage,	Mr. Wood.
Mr. Comſtock,			

For the Affirmative.

Mr. Adams,	Mr. Deitz,	Mr. Micheau,	Mr. Snell,
Mr. Benton,	Mr. J. A. De Witt,	Mr. Ogden,	Mr. Ten Broeck,
Mr. Bevier,	Mr. J. C. De Witt,	Mr. Pearſall,	Mr. Thomas,
Mr. Bruyn,	Mr. Gettman,	Mr. Prince,	Mr. Vandervoort,
Mr. Campbell,	Mr. Hatfield,	Mr. Rice,	Mr. Van Alſtyne,
Mr. Carman,	Mr. Heermance,	Mr. P. P. Schuyler,	Mr. Voſburgh,
Mr. Clifft,	Mr. Hoag,	Mr. Skidmore,	Mr. Wendell,
Mr. Cornwell,	Mr. K. Hogeboom,	Mr. J. Smith,	Mr. Weſt.
Mr. Coryell,	Mr. M'Farlan,		

That Mr. Verplank then made a motion, that the committee ſhould agree to add the following at the end of the proviſo of the ſaid firſt enacting clauſe, viz. "when the proprietors of ſuch ſlaves ſhall be paid out of the treaſury of this State dollars for the ſame."

That the queſtion being put, whether the committee did agree to the ſaid motion, it paſſed in the negative in the manner following, viz.

For the Negative.

Mr. Arcularius,	Mr. Coe,	Mr. Howard,	Mr. Robins,	
Mr. Baldwin,	Mr. Comſtock,	Mr. Hunt,	Mr. Savage,	
Mr. Barber,	Mr. De la Montagnie,	Mr. Kane,	Mr. P. I. Schuyler,	
Mr. W. Barker,	Mr. Dewey,	Mr. Maſon,	Mr. A. Smith,	
Mr. Bird,	Mr. Fairlie,	Mr. M'Neal,	Mr. T. Smith,	
Mr. Bowen,	Mr. Fonda,	Mr. Metcalfe,	Mr. Storm,	
Mr. Bowman,	Mr. Foot,	Mr. Miller,	Mr. Speaker,	
Mr. Boyd,	Mr. Gregory,	Mr. Mitchell,	Mr. Teed,	
Mr. Brown,	Mr. Hall,	Mr. Moſſet,	Mr. Jeſſe Thompſon,	
Mr. Burr,	Mr. Halſey,	Mr. Morſe,	Mr. Iſrael Thompſon,	
Mr. Burling,	Mr. Henry,	Mr. Potter,	Mr Joel Thompſon,	
Mr. Burt,	Mr. Holly,	Mr. Pride,	Mr. Wheeler,	
Mr. Carman,	Mr. Holt,	Mr. Reeve,	Mr. Williamſon,	
Mr. Clark,	Mr. Horton,	Mr. Rice,	Mr. Wood.	58
Mr. Clinton,	Mr. Hovey.			

For the Affirmative.

Mr. Adams,	Mr. Coryell,	Mr. M'Farlan,	Mr. Snell,	
Mr. J. Barker,	Mr. Deitz,	Mr. Micheau,	Mr. Ten Broeck,	
Mr. T. Barker,	Mr. J. A. De Witt,	Mr. Ogden,	Mr. Vandervoort,	
Mr. Benton,	Mr. J. C. De Witt,	Mr. Pearſall,	Mr. Van Alſtyne,	
Mr. Bevier,	Mr. Hatfield,	Mr. Prince,	Mr. Verplank,	
Mr. Bruyn,	Mr. Heermance,	Mr. P. P. Schuyler,	Mr. Vosburgh,	
Mr. Clift,	Mr. K. Hogeboom,	Mr. Skidmore,	Mr. Wendell,	
Mr. Cornwell,	Mr. M'Cord.	Mr. J. Smith,	Mr. Weſt.	31

Mr. Hogeboom reported further progreſs, and obtained leave to ſit again.

Reſolved, That this Houſe will, after this day, aſſemble at nine o'clock in the morning and ſit till three o'clock.

Then the Houſe adjourned until three o'clock this afternoon.

Three o'clock, P. M.

The Houſe met purſuant to adjournment.

A petition of John Thurman, praying to be heard by himſelf, or his counſel, againſt the granting the prayer of the petition of Nehemiah Mead and others, was read and committed to a committee of the whole Houſe, when on the ſaid laſt mentioned petition.

Mr. J. Hogeboom, from the committee of the whole Houſe, on the bill entitled "*An act for the gradual abolition of ſlavery*," reported, that the committee had made further progreſs in the ſaid bill.

A motion was made, that the committee of the whole Houſe be diſcharged from the further conſideration of the ſaid bill. Mr. Speaker put the queſtion, whether the Houſe did agree thereto, it was carried in the affirmative.

A motion was then made, that the ſaid bill be committed to a ſelect committee of five members.

A motion was then made as an amendment, that the ſaid bill be committed to a ſelect committee, to conſiſt of a Member from each county. Mr. Speaker put the queſtion, whether the Houſe did agree to the ſaid laſt mentioned motion, and it paſſed in the negative in the manner following, viz.

For the Negative.

Mr. Adams,	Mr. De la Montagnie,	Mr. Howard,	Mr. Savage,	
Mr. Arcularius,	Mr. Dewey,	Mr. Hunt,	Mr. A. Smith,	
Mr. Baldwin,	Mr. Fairlie,	Mr. Kane,	Mr. N. Smith,	
Mr. W. Barker,	Mr. Fonda,	Mr. Metcalfe,	Mr. T. Smith,	
Mr. Bowen,	Mr. Fort,	Mr. Micheau,	Mr. Storm,	
Mr. Boyd,	Mr. Gray,	Mr. Miller,	Mr. Teed,	
Mr. Brown,	Mr. Gregory,	Mr. Mitchell,	Mr. Thomas,	
Mr. Bruyn,	Mr. Hall,	Mr. Moffet,	Mr. Jeſſe Thompſon,	
Mr. Burr,	Mr. Halſey,	Mr. Morſe,	Mr. Iſrael Thompſon,	
Mr. Burling,	Mr. Hatfield,	Mr. Potter,	Mr. Joel Thompſon,	
Mr. Burt,	Mr. Henry,	Mr. Pride,	Mr. Verplank,	
Mr. Clark,	Mr. Hoag,	Mr. Reeve,	Mr. Warner,	
Mr. Clinton,	Mr. Holt,	Mr. Rice,	Mr. Wheeler,	
Mr. Coe,	Mr. Horton,	Mr. Robins,	Mr. Wood.	57
Mr. Comſtock,				

For the Affirmative.

Mr. Barber,	Mr. Cornwell,	Mr. Holly,	Mr. Skidmore,
Mr. J. Barker,	Mr. Coryell,	Mr. Jenkins,	Mr. J. Smith,
Mr. T. Barker,	Mr. Deitz,	Mr. M'Cord,	Mr. Snell,
Mr. Benton,	Mr. J. C. De Witt,	Mr. M'Farlan,	Mr. Ten Broeck,
Mr. Bevier,	Mr. Gettman,	Mr. Ogden,	Mr. Vandervoort,
Mr. Campbell,	Mr. Heermance,	Mr. Pearſall,	Mr. Van Alſtyne,
Mr. Carman,	Mr. J. Hogeboom,	Mr. Prince,	Mr. Voſburgh,
Mr. Clifft,	Mr. K. Hogeboom,	Mr. P. P. Schuyler,	Mr. Weſt.

Mr. Speaker then put the queſtion, whether the Houſe did agree that the ſaid bill be committed to a ſelect committee of five members, and it was carried in the affirmative. Thereupon,

Ordered, That the committee of the whole Houſe be diſcharged from the further conſideration of the ſaid bill, and that the ſame be committed to a ſelect committee, conſiſting of Mr. Burr, Mr. Brown, Mr. Ten Broeck, Mr. Wheeler and Mr. Moffet.

Mr. De la Montagnie, from the committee of the whole Houſe, on the bill entitled "*An act for the benefit of debtors and creditors,*" reported progreſs, and obtained leave to ſit again.

Then the Houſe adjourned until nine o'clock to-morrow morning.

Friday, nine o'clock, A. M. March 23d, 1798.

The engroſſed bill entitled "*An act to cede the juriſdiction of a certain tract of land on Eaton's Neck to the United States,*" was read the third time.

Reſolved, That the bill do paſs.

The engroſſed bill entitled "*An act for the payment of certain officers of government, and other contingent expenſes,*" was read the third time.

Reſolved, That the bill do paſs.

Ordered, That Mr. Gregory and Mr. Hall deliver the two laſt mentioned bills to the Hon. the Senate, and requeſt their concurrence.

Mr. Burr, from the ſelect committee to whom was committed the bill entitled "*An act for the gradual abolition of ſlavery,*" reported, that the committee had gone through the bill, made amendments, and filled up the blanks, which he was directed to report to the Houſe, and he read the report in his place and delivered the ſame in at the table, where it was again read. Thereupon,

Ordered, That the ſaid bill be recommitted to a committee of the whole Houſe.

The Houſe proceeded to the conſideration of the amendments of the Hon. the Senate to the bill entitled "*An act for the relief of John Porteous and Alexander Elliot,*" the bill and amendments were read, and the amendments being read a ſecond time, were concurred in by the Houſe, and the bill amended accordingly.

Ordered, That Mr. Hatfield and Mr. Heermance deliver the bill to the Hon. the Senate, and inform them that this Houſe have concurred in their amendments, and have amended the bill accordingly.

Mr. Mitchell, from the committee to whom was referred the report of the Surveyor-General of the 19th inſtant, reported, that the committee had agreed to a bill entitled "*An act relative to the ſurveys of towns within this State,*" which he was directed to move for leave to bring in; leave being given, Mr. Mitchell brought in the ſaid bill, which was read the firſt time, and ordered a ſecond reading.

Mr. Williamſon, purſuant to notice by him for that purpoſe heretofore given, moved for and obtained leave to bring in a bill, entitled "*An act for the ſale of certain lands in the Oneida reſervation,*" which was read the firſt time and ordered a ſecond reading.

A meſſage from the Hon. the Senate, delivered by Mr. Sands and Mr. Sanger, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "*An act to veſt the right and title of the people of this State of, in and to the real eſtate whereof John Breadbake died ſeized, in Anna Breadbake, his widow,*" with the amendments therewith delivered.

Ordered, That the conſideration of the ſaid amendments be poſtponed.

The Hon. the Senate returned by Mr. Sands and Mr. Sanger the bill entitled "*An act to incorporate that part of the town of Schenectady therein mentioned.*"

Ordered, That Mr. Hall and Mr. Halſey deliver the bill to the Hon. the Council of Reviſion.

A meſſage from the Hon. the Senate, delivered by Mr. Sanger and Mr. Savage, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "*An act to amend the act entitled "An act to divide the county of Schoharie into towns,*" with the amendments therewith delivered. The bill and amendments were read, and the amendments being read a ſecond time, were concurred in by the Houſe, and the bill amended accordingly.

With the ſame meſſage was alſo received the bill entitled "*An act to erect Curryſhuſh, or the patent granted to John Curry, together with the church land adjoining the patent of Schenectady, into a ſeparate town,*" informing, that the Senate have paſſed the bill with the amendments therewith delivered. The bill and amendments were read; one of the ſaid amendments was to the title; the altered title is, "*An act to erect Curryſhuſh, together with the church land adjoining the patent of Schenectady, into a ſeparate town,*" and the amendments being read a ſecond time, were concurred in by the Houſe, and the bill amended accordingly.

Ordered, That Mr. Hatfield and Mr. Heermance deliver the two laſt mentioned bills to the Hon. the Senate, and inform them that this Houſe have concurred in their amendments, and have amended the ſaid bills accordingly.

The Hon. the Senate returned by Mr. Sanger and Mr. Savage the bill entitled "*An act to incorporate the Mutual Aſſurance Company in the city of New-York,*" and the bill entitled "*An act to amend the act entitled "An act for ſuppreſſing immorality,*" paſſed the 23d February, 1788.

Ordered, That Mr. Heermance and Mr. Henry deliver the two laſt mentioned bills to the Hon. the Council of Reviſion.

A motion was made, that the Houſe reſolve itſelf into a committee of the whole Houſe, on the bill entitled "*An act for the gradual abolition of ſlavery.*" Mr. Speaker put the queſtion, whether the Houſe did agree thereto, and it was carried in the affirmative in the manner following, viz.

For the Affirmative.

Mr. Arcularius,	Mr. Coe,	Mr. Hunt,	Mr. Roſs,
Mr. Baldwin,	Mr. Comſtock,	Mr. Kane,	Mr. Savage,
Mr. Barber,	Mr. De la Montagnie,	Mr. Lee,	Mr. P. I. Schuyler,
Mr. T. Barker,	Mr. Dewey,	Mr. Maſon,	Mr. A. Smith,
Mr. W. Barker,	Mr. Fonda,	Mr. M'Cord,	Mr. N. Smith,
Mr. Bird,	Mr. Foot,	Mr. M'Neal,	Mr. T. Smith,
Mr. Bowen,	Mr. Gray,	Mr. Metcalfe,	Mr. Storm,
Mr. Boyd,	Mr. Gregory,	Mr. Miller,	Mr. Teed,
Mr. Brown,	Mr. Hall,	Mr. Mitchell,	Mr. Jeſſe Thompſon,
Mr. Bruyn,	Mr. Halſey,	Mr. Morſe,	Mr. Iſrael Thompſon,
Mr. Burr,	Mr. Henry,	Mr. Potter,	Mr. Joel Thompſon,
Mr. Burling,	Mr. Holt,	Mr. Pride,	Mr. Warner,
Mr. Burt,	Mr. Horton,	Mr. Reeve,	Mr. Wheeler,
Mr. Clifft,	Mr. Hovey,	Mr. Rice,	Mr. Williamſon. 59
Mr. Clinton,	Mr. Howard,	Mr. Robins,	

For the Negative.

Mr. Adams,	Mr. J. C. De Witt,	Mr. Ogden,	Mr. Thomas,
Mr. J. Barker,	Mr. Gettman,	Mr. Pearſall,	Mr. Vandervoort,
Mr. Benton,	Mr. Hatfield,	Mr. Prince,	Mr. Van Alſtyne,
Mr Bevier,	Mr. J. Hogeboom,	Mr. P. P. Schuyler,	Mr. Verplank,
Mr. Campbell,	Mr K. Hogeboom,	Mr. Skidmore,	Mr. Voſburgh,
Mr. Carman,	Mr. Holly,	Mr. J. Smith,	Mr. Wendell,
Mr. Cornwell,	Mr. M'Farlan,	Mr. Snell,	Mr. Weſt,
Mr. Coryell,	Mr. Micheau,	Mr. Ten Broeck,	Mr. Wood. 33
Mr. Deitz,			

Thereupon, the Houſe reſolved itſelf into a committee of the whole Houſe on the ſaid bill, and after ſome time ſpent thereon, Mr. Speaker reſumed the chair, and Mr. J. Hogeboom from the ſaid committee reported the proceedings of the committee to have been as follows, viz. that a clauſe of the ſaid bill was read, and is in the words following, viz.

And be it further enacted, That if the mother of ſuch child be a ſlave, the owner and his aſſigns ſhall be entitled to the ſervice of ſuch child until the age aforeſaid in the ſame manner as if ſuch child had been bound to ſervice by the overſeers of the

poor; but the perſon entitled to ſuch ſervice may nevertheleſs, within one year after the birth of ſuch child, elect to abandon his or her right to ſuch ſervice, in which caſe ſuch child ſhall be conſidered as a pauper to be maintained by the town or city, and liable to be bound out until the ages aforeſaid."

That Mr. Wood made a motion that the committee ſhould agree to inſert after the word "*city*" in the ſaid clauſe, the following, viz. "*in which the proprietor of the mother of ſuch child ſhall reſide at the time of its birth.*" That the queſtion being put whether the committee did agree to the motion of Mr. Wood, it was carried in the affirmative in the manner following, viz.

For the Affirmative.

Mr. Arcularius,	Mr. Coe,	Mr. Jenkins,	Mr. Savage,
Mr. J. Barker,	Mr. Dewey,	Mr. Maſon,	Mr. A. Smith,
Mr. T. Barker,	Mr. Fairlie,	Mr. M'Neal,	Mr. N. Smith,
Mr. W. Barker,	Mr. Foot,	Mr. Miller,	Mr. T. Smith,
Mr. Bowen,	Mr. Fort,	Mr. Mitchell,	Mr. Storm,
Mr. Bowman,	Mr. Gray,	Mr. Morſe,	Mr. Teed,
Mr. Boyd,	Mr. Halſey,	Mr. Potter,	Mr. Iſrael Thompſon,
Mr. Brown,	Mr. Henry,	Mr. Pride,	Mr. Jeſſe Thompſon,
Mr. Burling,	Mr. Holt,	Mr. Reeve,	Mr. Joel Thompſon,
Mr. Burt,	Mr. Hovey,	Mr. Rice,	Mr. Wheeler,
Mr. Clifft,	Mr. Howard,	Mr. Robins,	Mr. Williamſon.
Mr. Clinton,	Mr. Hunt,		

For the Negative.

Mr. Adams,	Mr. Coryell,	Mr. Lee,	Mr. Speaker,
Mr. Barber,	Mr. Deitz,	Mr. M'Cord,	Mr. Ten Broeck,
Mr. Bevier,	Mr. De la Montagnie,	Mr. Metcalfe,	Mr. Vandervoort,
Mr. Bruyn,	Mr. J. C. De Witt,	Mr. Michean,	Mr. Van Alſtyne,
Mr. Burr,	Mr. Gettman,	Mr. Ogden,	Mr. Verplank,
Mr. Campbell,	Mr. Hatfield,	Mr. Prince,	Mr. Voſburgh,
Mr. Carman,	Mr. Heermance,	Mr. Skidmore,	Mr. Warner,
Mr. Clark,	Mr. K. Hogeboom,	Mr. J. Smith,	Mr. Wendell,
Mr. Comſtock,	Mr. Holly,	Mr Snell,	Mr. Wood.
Mr. Cornwell,	Mr. Horton,		

That another clauſe in the ſaid bill was read, and is in the words following, viz.

And be it further enacted, That every perſon an inhabitant of this State who is or ſhall be the owner of a ſlave within this State, ſhall on or before the firſt day of January next, cauſe to be delivered to the clerk of the city or town whereof ſuch owner ſhall be an inhabitant, a minute in writing, containing the name and addition of ſuch owner, and the name, age, and ſex of every perſon ſo by him or her claimed as a ſlave, which particulars ſhall by the clerk be recorded in a book to be by him for that purpoſe provided, and he ſhall be entitled to receive twelve and an half cents for each ſlave ſo recorded, to be paid out of the county treaſury.

That the queſtion being put whether the committee did agree to the ſaid clauſe, it was carried in the affirmative in the manner following, viz.

For the Affirmative.

Mr. Arcularius,	Mr. Fairlie,	Mr. Jenkins,	Mr. Robins,
Mr. Barber,	Mr. Foot,	Mr. Kane,	Mr. Savage,
Mr. T. Barker,	Mr. Fort,	Mr. Maſon,	Mr. A. Smith,
Mr. W. Barker,	Mr. Gray,	Mr. M'Cord.	Mr. T. Smith,
Mr. Bird,	Mr. Gregory,	Mr. M'Neal,	Mr. Storm,
Mr. Bowen,	Mr. Hall,	Mr. Mercalfe,	Mr. Speaker,
Mr. Brown,	Mr. Halſey,	Mr. Miller,	Mr. Jeſſe Thompſon,
Mr. Burr,	Mr. Henry,	Mr. Morſe,	Mr. Iſrael Thompſon,
Mr. Burling,	Mr. Holly,	Mr. Potter,	Mr Joel Thompſon,
Mr. Burt,	Mr. Horton,	Mr. Prince,	Mr. Warner,
Mr. Clinton,	Mr. Hovey,	Mr. Pride,	Mr. Wheeler,
Mr. Coe,	Mr. Howard,	Mr. Reeve,	Mr. Williamſon,
Mr. De la Montagnie,	Mr. Hunt,	Mr. Rice,	Mr. Wood. 33
Mr. Dewey,			

For the Negative.

Mr. Adams,	Mr. Comſtock,	Mr. K. Hogeboom,	Mr. Teed,
Mr. Baldwin,	Mr. Cornwell,	Mr. Lee,	Mr. Ten Broeck,
Mr. J. Barker,	Mr. Coryell,	Mr. Ogden,	Mr. Vandervoort,
Mr. Bruyn,	Mr. Deitz,	Mr. Pearſall,	Mr Van Alſtyne,
Mr. Campbell,	Mr. Gettman,	Mr. P. P. Schuyler,	Mr. Voſburgh,
Mr. Carman,	Mr. Hatfield,	Mr. Skidmore,	Mr. Wendell,
Mr. Clark,	Mr. Heermance,	Mr. Snell,	Mr. Weſt. 29
Mr. Clifft,			

That Mr. Wood made a motion that the committee ſhould agree to add a clauſe to the ſaid bill, in the words following, viz.

And be it further enacted, That every free negro male or female in each town in his State, between the age of 25 and 50, ſhall annually pay the ſum of one dollar owards the maintainance and ſupport of the free black poor of the ſaid town, which money ſhall be collected by the collector of the ſaid town in the ſame manner as the money for the ſupport of the poor is by law now collected, and ſhall by the ſaid collector be paid into the hands of the overſeers of the poor of the ſaid town, to be appropriated for the ſupport of the free black poor of the ſaid town. And the ſaid overſeers ſhall keep a ſeparate account of the receipt and expenditure of the ſaid monies, which ſhall be audited as their accounts are at preſent by law directed to be audited.

That the queſtion being put whether the committee did agree thereto, it paſſed in the negative in the manner following, viz.

For the Negative.

Mr. Arcularius,	Mr. Clinton,	Mr. Jenkins,	Mr. Savage,
Mr. Baldwin,	Mr. Coe,	Mr. Kane,	Mr. A. Smith,
Mr. Barber,	Mr. Comſtock,	Mr. Lee,	Mr. T. Smith,
Mr. J. Barker,	Mr. De la Montagnie,	Mr. Maſon,	Mr. Storm,
Mr. T. Barker,	Mr. Dewey,	Mr. M'Cord,	Mr. Speaker,
Mr. W. Barker,	Mr. Fairlie,	Mr. M'Neal,	Mr. Teed,
Mr. Bird,	Mr. Foot,	Mr. Miller,	Mr. Ten Broeck,
Mr. Bowen,	Mr. Fort,	Mr. Mitchell,	Mr. Jeſſe Thompſon,
Mr. Brown,	Mr. Gray,	Mr. Morſe,	Mr. Iſrael Thompſon,
Mr. Burr,	Mr. Hall,	Mr. Potter,	Mr. Joel Thompſon,
Mr. Burling,	Mr. Halſey,	Mr. Prince,	Mr. Verplank,
Mr. Burt,	Mr. Heermance,	Mr. Pride,	Mr. Wendell,
Mr. Campbell,	Mr. Henry,	Mr. Reeve,	Mr. Wheeler,
Mr. Carman,	Mr. Howard,	Mr. Rice,	Mr. Williamſon. 59
Mr. Clifft,	Mr. Hunt,	Mr. Robins,	

For the Affirmative.

Mr. Adams,	Mr. Fonda,	Mr. M'Farlan,	Mr. Vandervoort,
Mr. Benton,	Mr. Gettman,	Mr. Micheau,	Mr. Van Alſtyne,
Mr. Bruyn,	Mr. Hatfield,	Mr. Ogden,	Mr. Voſburgh,
Mr. Clark,	Mr. K. Hogeboom,	Mr. Pearſall,	Mr. Warner,
Mr. Cornwell,	Mr. Holly,	Mr. P. P. Schuyler,	Mr. Weſt,
Mr. Coryell,	Mr. Horton,	Mr. Snell,	Mr. Wood. 25
Mr. Deitz,			

That Mr. K. Hogeboom made a motion that the committee ſhould agree to add a auſe to the ſaid bill in the words following, viz.

And be it further enacted, That whenever any ſlave or ſlaves who ſhall become ee by virtue of this act, ſhall become chargeable, ſuch ſlave or ſlaves ſhall be deem- the poor of this State. Provided nevertheleſs, that they ſhall be provided for in e firſt inſtance by the overſeers of the poor of the town in which they may reſide, o ſhall annually be entitled to receive from the treaſury of this State ſuch ſum or ms as they may have ſo expended, after their accounts ſhall have been audited by e ſupervifors of the county in which the poor maſters reſide.

That the queſtion being put whether the committee did agree thereto, it paſſed in negative in the manner following, viz.

For the Negative.

Mr. Arcularius,	Mr. Comſtock,	Mr. Hunt,	Mr. Savage,
Mr. Baldwin,	Mr. De la Montagnie,	Mr. Jenkins,	Mr. A. Smith,
Mr. Barber,	Mr. Dewey,	Mr. Kane,	Mr. T. Smith,
Mr. T. Barker,	Mr. Fairlie,	Mr Maſon,	Mr Storm,
Mr. W. Barker,	Mr. Fonda,	Mr. M'Neal,	Mr. Speaker,
Mr. Bird,	Mr. Foot,	Mr. Miller,	Mr. Teed,
Mr. Bowen,	Mr. Fort,	Mr. Mitchell,	Mr. Jeſſe Thompſon,
Mr. Brown,	Mr. Gray,	Mr. Morſe,	Mr. Joel Thompſon,
Mr. Burr,	Mr. Gregory,	Mr. Potter,	Mr. Iſrael Thompſon,
Mr. Burling,	Mr. Hall,	Mr. Pride,	Mr. Warner,
Mr. Burt,	Mr Halſey,	Mr. Reeve,	Mr Wheeler,
Mr Clinton,	Mr. Henry,	Mr. Rice,	Mr. Williamſon. 31
Mr. Coe,	Mr. Howard,	Mr. Robins,	

For the Affirmative.

Mr. Adams,	Mr. Coryell,	Mr. Lee,	Mr. Snell,
Mr. J. Barker,	Mr. Deitz,	Mr M'Cord,	Mr. Ten Broeck,
Mr. Benton,	Mr. J. C. De Witt,	Mr. M'Farlan,	Mr. Vandervoort,
Mr. Bevier,	Mr. Gettman,	Mr. Micheau,	Mr. Van Alſtyne,
Mr. Bruyn,	Mr. Hatfield,	Mr. Ogden,	Mr. Verplank,
Mr. Campbell,	Mr. Heermance,	Mr. Pearſall,	Mr. Voſburgh,
Mr. Carman,	Mr. K. Hogeboom,	Mr. Prince,	Mr. Wendell,
Mr. Clark,	Mr. Holly,	Mr. P. P. Schuyler,	Mr. Weſt,
Mr. Cliffe,	Mr. Horton,	Mr. Skidmore,	Mr. Wood. 27
Mr. Cornwell,			

That in proceeding to fill up the blanks in the ſaid bill, a proviſo in the firſt enacting clauſe thereof was again read, and is in the words following, viz.

Provided nevertheleſs, that ſuch child ſhall be the ſervant of the legal proprietor of his or her mother, until ſuch ſervant if a male ſhall arrive at the age of years, and if a female, at the age of years.

That Mr. Bowen made a motion that the firſt blank in the ſaid proviſo ſhould be filled up with the words "*twenty-five years.*"

That Mr. Brown made a motion that the words "*twenty-eight years*" ſhould be inſerted in the ſaid blank.

That Mr. Voſburgh made a motion that the words "*thirty-five years*" ſhould be inſerted in the ſaid blank.

That Mr. Hunt made a motion that the words "*twenty-one years*" ſhould be inſerted in the ſaid blank.

That Mr. K. Hogeboom made a motion that the word "*thirty*" ſhould be inſerted in the ſaid blank.

That the queſtion being put on the motion of Mr. Voſburgh it paſſed in the negative.

That the queſtion being put on the motion of Mr. K. Hogeboom, it paſſed in the negative.

That the queſtion being put on the motion of Mr. Brown, it was carried in the affirmative in the manner following, viz.

For the Affirmative.

Mr. Adams,	Mr. Coe,	Mr. Lee,	Mr. Storm,
Mr. J. Barker,	Mr. Cornwell,	Mr. Maſon,	Mr. Speaker,
Mr. T. Barker,	Mr. Coryell,	Mr. M'Cord,	Mr. Ten Broeck,
Mr. Benton,	Mr. Deitz,	Mr. M'Farlan,	Mr. Thomas,
Mr. Bevier,	Mr. J. C. De Witt,	Mr. Ogden,	Mr. Joel Thompſon,
Mr. Bird,	Mr. Fort,	Mr. Pearſall,	Mr. Van Alſtyne,
Mr. Brown,	Mr. Gettman,	Mr. Prince,	Mr. Verplank,
Mr. Bruyn,	Mr. Hall,	Mr. Robins,	Mr. Voſburgh,
Mr. Burr,	Mr. Hatfield,	Mr. Savage,	Mr. Warner,
Mr. Campbell,	Mr. Heermance,	Mr. P. P. Schuyler,	Mr. Wendell,
Mr. Carman,	Mr. K. Hogeboom,	Mr. Skidmore,	Mr. Weſt,
Mr. Clark,	Mr. Holly,	Mr. A. Smith,	Mr. Wheeler,
Mr. Clifft,	Mr. Jenkins,	Mr. J. Smith,	Mr. Williamſon. 33
Mr. Clinton,	Mr. Kane,	Mr. Snell,	

For the Negative.

Mr. Arcularius,	Mr. Dewey,	Mr. Hovey,	Mr. Reeve,
Mr. Baldwin,	Mr. Fairlie,	Mr. Howard,	Mr. Rice,
Mr. W. Barker,	Mr. Fonda,	Mr. Hunt,	Mr. N. Smith,
Mr. Bowen,	Mr. Foot,	Mr. M'Neal,	Mr. T. Smith,
Mr. Bowman,	Mr. Gray,	Mr. Miller,	Mr. Teed,
Mr. Burling,	Mr. Gregory,	Mr. Mitchell,	Mr. Jeſſe Thompſon,
Mr. Burt,	Mr. Halſey,	Mr. Morſe,	Mr. Iſrael Thompſon,
Mr. Comſtock,	Mr. Henry,	Mr. Potter,	Mr. Wood. 25
Mr. De la Montagnie,	Mr. Horton,	Mr. Pride,	

Mr. J. Hogeboom further reported, that the committee had gone through the bill, made amendments, added clauſes, and filled up the blanks, which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

Reſolved, That in all diviſions to be taken in this Houſe it ſhall be the duty of the clerk to enter on the minutes the name of the Member calling for a diviſion, and the name of the Member who ſhall ſecond ſuch call.

Mr. Wood, from the committee of the whole Houſe on the bill entitled "*An act to amend the act entitled "An act ſupplementary to the act entitled "An act for erecting a public*

Building in the county of Albany, and for other purpoſes therein mentioned," paſſed the 10th March, 1797, reported, that in proceeding in the ſaid bill, the enacting clauſe thereof was read, and is in the words following, viz.

Be it enacted by the people of the State of New-York repreſented in Senate and Aſſembly, That the Treaſurer of the State be, and he is authorized and directed to pay to the order of the ſaid commiſſioners on the warrant of the Comptroller of this State a ſum not exceeding dollars, to be by them laid out and expended in completing the building aforeſaid.

That debates were had thereon, and the queſtion being put whether the committee did agree thereto, it was carried in the affirmative in the manner following, viz.

For the Affirmative.

Mr. Arcularius,	Mr. Dewey,	Mr. M'Neal,	Mr. A. Smith,
Mr. Baldwin,	Mr. Foot,	Mr. Mitchell,	Mr. T. Smith,
Mr. T. Barker,	Mr. Fort,	Mr. Morſe,	Mr. Snell,
Mr. Bird,	Mr. Gettman,	Mr. Ogden,	Mr. Speaker,
Mr. Brown,	Mr. Gray,	Mr. Potter,	Mr. Teed,
Mr. Burr,	Mr. Hall,	Mr. Prince,	Mr. Thomas,
Mr. Burling,	Mr. Halſey,	Mr. Pride,	Mr. Iſrael Thompſon,
Mr. Burt,	Mr. Heermance,	Mr. Reeve,	Mr. Joel Thompſon,
Mr. Clinton,	Mr. Henry,	Mr. Rice,	Mr. Van Alſtyne,
Mr. Coe,	Mr. Howard,	Mr. Robins,	Mr. Warner,
Mr. Deitz,	Mr. Hunt,	Mr. Savage,	Mr. Wendell,
Mr. De la Montagnie,	Mr. Maſon,	Mr. P. P. Schuyler,	Mr. Weſt. 41

For the Negative.

Mr. Adams,	Mr. Carman,	Mr. K. Hogeboom,	Mr. Pearſall,
Mr. Barber,	Mr. Clifft,	Mr. Holly,	Mr. Skidmore,
Mr. J. Barker,	Mr. Cornwell,	Mr. Holt,	Mr. J. Smith,
Mr. W. Barker,	Mr. Coryell,	Mr. Horton,	Mr. Ten Broeck,
Mr. Bevier,	Mr. J. C. De Witt,	Mr. Jenkins,	Mr. Jeſſe Thompſon,
Mr. Bowen,	Mr. Hatfield,	Mr. M'Cord.	Mr. Vosburgh, 26
Mr. Bruyn,	Mr. J. Hogeboom,		

Mr. Wood further reported, that the committee had gone through the bill and filled up the blank, which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

A meſſage from the Hon. the Council of Reviſion, delivered by the Hon. Mr. Juſtice Benſon, was read, that it does not appear improper to the Council, that the bill entitled "*An act to incorporate the Mutual Aſſurance Company of the city of New-York;*" the bill entitled "*An act to divide the town of Canajoharie into two towns;*" the bill entitled "*An act to divide the town of Woodſtock, in the county of Ulſter;*" the bill entitled "*An act ſupplementary to an act entitled "An act for raiſing monies in the city of Hudſon for the ſupport of a night-watch;*" the bill entitled "*An act to erect part of the towns of Middletown, Kortright and Walton, in the county of Delaware, into a ſeparate town,*" and the bill entitled "*An act relative to the corporation for the relief of the widows and children of Clergymen, in the Communion of the Proteſtant Epiſcopal Church in America, and for inſtituting a new corporation within this State for ſimilar purpoſes,*" ſhould ſeverally become laws of this State.

A meſſage from the Hon. the Council of Reviſion, alſo delivered by the Hon. Mr. Juſtice Benſon, with the bill therein mentioned, was read, that the Council object to the bill entitled "*An act repealing an act entitled "An act for granting and ſecuring to John Fitch, the ſole right and advantage of making and employing the ſteam boat, by him lately invented, and for other purpoſes:*" Becauſe the grant of the privileges to Robert R. Livingſton, intended by the bill, ſuppoſes that the ſimilar privileges which were granted to John Fitch, by the act thereby to be repealed, had become forfeited: Whereas it doth not appear that the facts from which ſuch forfeiture is to ariſe, have been found in ſome due courſe of law.

JOHN JAY.

Ordered, That the conſideration of the ſaid objections be poſtponed.

Ordered, That the commitee of the whole Houſe be diſcharged from the further conſideration of the bill entitled "*An act to regulate the fiſhery in Otſego Lake,*" and that the ſame be committed to a ſelect committee, conſiſting of the Members attending in this Houſe from the county of Otſego.

Then the Houſe adjourned until nine o'clock to-morrow morning.

Saturday, nine o'clock, A. M. March 24th, 1798.

The engroſſed bill entitled "*An act ſupplementary to an act entitled "An act for erecting a public building in the county of Albany, and for other purpoſes,*" paſſed the 10th March, 1797, was read the third time.

Reſolved, That the bill do paſs.

Ordered, That Mr. Hatfield and Mr. Heermance deliver the bill to the Hon. the Senate, and requeſt their concurrence.

The bill entitled "*An act for the ſale of certain lands in the Oneida reſervation,*" and the bill entitled "*An act relating to the ſurveys of towns within this State,*" were ſeverally read the ſecond time and committed to a committee of the whole Houſe.

The Surveyor-General, to whom was referred the petition of Levi De Witt and others, and alſo the petition and proteſt of Derick Weſbrook and others, reported, That the firſt mentioned petitioners alledge that there are about eight thouſand acres of vacant land in the patent formerly granted to Capt. John Evans, and reaſſumed by government, and pray for a grant of the ſame. The inhabitants of Rocheſter proteſt againſt ſuch grant, alledging that the lands lie within the limits of their patent. As the boundaries of Evans's patent are vaguely deſcribed, and different conſtructions of it are given, and as it is ſaid that ſuits are pending reſpecting titles to ſome of theſe lands, it appears to the Surveyor-General that it would be an improper interference with the province of common law courts to take the buſineſs up at preſent. He therefore forbears to give an opinion about it.

All which is reſpectfully ſubmitted.

SIMEON DE WITT, *Surveyor-General.*

Which report was approved of by the Houſe.

The Houſe proceeded to the conſideration of the objections of the Hon. the Council of Reviſion to the bill entitled "*An act to repeal an act entitled "An act for granting and ſecuring to John Fitch, the ſole right and advantage of making and employing the ſteam boat, by him lately invented, and for other purpoſes,*" as entered on the journals of this Houſe on the 23d inſtant.

The ſaid objections having been read and conſidered, and the ſaid bill having been again read and reconſidered, Mr. Speaker put the queſtion, whether the ſaid bill, notwithſtanding the objections of the Hon. the Council of Reviſion to the ſame, ſhould become a law of this State, and it was carried in the affirmative by a majority of more than two thirds of the Members preſent. Thereupon,

Reſolved, That the ſaid bill, notwithſtanding the objections of the Hon. the Council of Reviſion to the ſame, become a law of this State.

Ordered, That Mr. Hatfield and Mr. Heermance deliver the bill, with the objections, and a copy of the preceding reſolution, to the Hon. the Senate.

A petition of John Douglaſs, an alien, praying to be enabled by law to purchaſe and hold real eſtates within this State, was read and referred to the committee of the whole Houſe, when on the bill entitled "*An act to enable certain perſons therein named to purchaſe and hold real eſtates within this State.*"

Mr. Dewey, from the ſelect committee to whom was committed the bill entitled "*An act to regulate the fiſhery in Otſego Lake,*" reported, that the committee had gone through the bill without amendment and filled up the blanks, which he was directed to report to the Houſe, and he read the report in his place and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

A meſſage from the Hon. the Senate, delivered by Mr. Schenck and Mr. Silveſter, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "*An act to repeal the act for the encouragement of ſchools,*" to which they requeſt the concurrence of this Houſe. The ſaid bill was read the firſt time and ordered a ſecond reading.

A meſſage from his Excellency the Governor, delivered by his private ſecretary, was read, and is in the words following, viz.

GENTLEMEN,

From the letter herewith laid before you, it appears that the bill lately depending in one of the Houſes of Congreſs, for ſecuring to contending claimants, under different States, an impartial trial, has been rejected.

On this ſubject, I forbear to enlarge, leſt ſentiments or expreſſions, not favorable the mutual confidence which ought to ſubſiſt between this State and the National overnment, and which it is the duty and intereſt of both to cultivate, ſhould eſcape e.

This ſubject, however, demands your ſerious conſideration; and though deeply preſſed with the importance of National Union at all times, and particularly at is intereſting and critical period, yet I cannot omit obſerving, that the reſpect due the dignity and juſt rights of this State, merits undeviating attention.

JOHN JAY.

ALBANY, *March 24th*, 1798.

Thereupon, *Reſolved*, (if the Hon. the Senate concur herein) That a joint committee of both Houſes be appointed to take into conſideration the meſſage of his xcellency the Governor of the preſent inſtant; and in caſe of ſuch concurrence, at Mr. Bird, Mr. Burr, Mr. Metcalfe, Mr. Bowman and Mr. P. I. Schuyler, be of e ſaid committee on the part of this Houſe.

Ordered, That Mr. Heermance and Mr. Henry deliver a copy of the ſaid reſolun to the Hon. the Senate.

Mr. Fairlie, from the committee of the whole Houſe, on the bill entitled "*An act to ct part of the counties of Albany and Ulſter into a ſeparate county*," reported, that in proeding in the ſaid bill, the firſt enacting clauſe thereof was read, and is in the words llowing, viz.

Be it enacted by the people of the State of New-York, repreſented in Senate and ſſembly, That all that part of the counties of Albany and Ulſter, beginning at anton-Iſland, in Hudſon's River, and running from thence in a direct line to the ad of Cauter's Kill, and thence to the moſt eaſterly corner of the county of Delare, and thence along the eaſterly bounds of the counties of Delaware and Schoha- to the ſouth-weſt corner of the Manor of Renſſelaer, thence along the weſt bounds the town of Renſſelaerville to the north-weſt corner of the ſame, thence along e north bounds of the towns of Renſſelaerville and Coeymans to the river, thence wn the river to an iſland called Marte Garriſon's Iſland, being a ſmall diſtance ove Kinderhook landing, thence on the weſt ſide of the ſaid laſt mentioned iſland the ſouth end of the ſame, thence down the middle of the ſaid river to the place beginning, ſhall be a ſeparate and diſtinct county by the name of ————.

That debates were had thereon, and the queſtion being put, whether the committee agree thereto, it was carried in the affirmative. The yeas and nays being called by Mr. Speaker, ſeconded by Mr. Ogden, were as follows, viz.

For the Affirmative.

Mr. Adams,	Mr. Campbell,	Mr. Heermance,	Mr. Reeve,	
Mr. Arcularius,	Mr. Carman,	Mr. J. Hogeboom,	Mr. Savage,	
Mr. Baldwin,	Mr. Clark,	Mr. K. Hogeboom,	Mr. Skidmore,	
Mr. Barber,	Mr. Clinton,	Mr. Holly,	Mr. A. Smith,	
Mr. T. Barker,	Mr. Coe,	Mr. Holt,	Mr. J. Smith,	
Mr. W. Barker,	Mr. Comſtock,	Mr. Hovey,	Mr. T. Smith,	
Mr. Bird,	Mr. Cornwell,	Mr. Howard,	Mr. Snell,	
Mr. Bevier,	Mr. De la Montagnie,	Mr. Hunt,	Mr. Storm,	
Mr. Bowen,	Mr. J. A. De Witt,	Mr. Jenkins,	Mr. Ten Broeck,	
Mr. Boyd,	Mr. J. C. De Witt,	Mr. Lee,	Mr. Vandervoort,	
Mr. Bruyn,	Mr. Foot,	Mr. M'Cord,	Mr. Voſburgh,	
Mr. Burr,	Mr. Hall,	Mr. Micheau,	Mr. Warner,	
Mr. Burling,	Mr. Halſey,	Mr. Miller,	Mr. Wood.	55
Mr. Burt,	Mr. Hatfield,	Mr. Mitchell,		

For the Negative.

Mr. J. Barker,	Mr. Gettman,	Mr. Pearſall,	Mr. Teed,	
Mr. Benton,	Mr. Gray,	Mr. Potter,	Mr. Thomas,	
Mr. Bowman,	Mr. Horton,	Mr. Prince,	Mr. Jeſſe Thompſon,	
Mr. Brown,	Mr. Maſon,	Mr. Pride,	Mr. Joel Thompſon,	
Mr. Chiſt,	Mr. M'Farlan,	Mr. Rice,	Mr. Van Alſtyne,	
Mr. Coryell,	Mr. M'Neal,	Mr. P. I. Schuyler,	Mr. Verplank,	
Mr. Deitz,	Mr. Metcalfe,	Mr. P. P. Schuyler,	Mr. Wendell,	
Mr. Dewey,	Mr. Moffet,	Mr. N. Smith,	Mr. Weſt,	
Mr. Fonda,	Mr. Morſe,	Mr. Speaker,	Mr. Wheeler.	38
Mr. Fort,	Mr. Ogden,			

Mr. Fairlie further reported, that the committee had gone through the bill wi
out amendment and filled up the blanks, which he was directed to report to t
Houſe, and he read the report in his place, and delivered the ſame in at the ta
where it was again read and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

Mr. Moffet, from the committee of the whole Houſe, on the bill entitled "*An a
for the relief of John Oſtrander*," reported, that after the ſaid bill had been read in t
committee, a motion was made that the ſame be rejected; that debates were h
thereon, and the queſtion being put, whether the committee did agree thereto; it w
carried in the affirmative; and that on the motion of Mr. M'Cord, ſeconded by M
Ten Broeck, the yeas and nays were taken, and are as follows, viz.

For the Affirmative.

Mr. Adams,	Mr. J. C. De Witt,	Mr. M'Neal,	Mr. J. Smith,
Mr. Baldwin,	Mr. Dewey,	Mr. Micheau,	Mr. N. Smith,
Mr. J. Barker,	Mr. Fort,	Mr. Miller,	Mr. T. Smith,
Mr. W. Barker,	Mr. Gray,	Mr. Mitchell,	Mr Snell,
Mr. Benton,	Mr. Halſey,	Mr. Pearſall,	Mr. Todd,
Mr. Bowen,	Mr. Henry,	Mr. Potter,	Mr. Thomas,
Mr. Carman,	Mr. Holt,	Mr. Reeve,	Mr. Vanderveort,
Mr. Clark,	Mr. Horton,	Mr. Rice,	Mr. Wheeler,
Mr. Coe,	Mr. Howard,	Mr. Savage,	Mr. Williamſon,
Mr. Cornwell,	Mr. Jenkins,	Mr. P. I. Schuyler,	Mr. Wood.
Mr. Coryell,	Mr. Lee,	Mr. A. Smith,	

For the Negative.

Mr. Barber,	Mr. Fairlie,	Mr. Hunt,	Mr. Speaker,
Mr. T. Barker,	Mr. Fonda,	Mr. M'Cord,	Mr. Ten Broeck,
Mr. Boyd,	Mr. Foot,	Mr. Morſe,	Mr. Joel Thompſon,
Mr. Burling,	Mr. Geetman,	Mr. Ogden,	Mr. Van Alſtyne,
Mr. Burt,	Mr. Gregory,	Mr. Prince,	Mr. Verplank,
Mr. Campbell,	Mr. Hatfield,	Mr. Pride,	Mr. Volburgh,
Mr. Clifft,	Mr. J. Hogeboom,	Mr. B. P. Schuyler,	Mr. Warner,
Mr. Clinton,	Mr. K. Hogeboom,	Mr. Skidmore,	Mr. Wendell,
Mr. Deitz,	Mr. Hovey,	Mr. Storm,	Mr. Weſt.
Mr. De la Montagnie,			

Which he was directed to report to the Houſe, and he read the report in his p
and delivered the ſame in at the table, where it was again read and agreed to by
Houſe. Thereupon,

Reſolved, That the ſaid bill be, and the ſame is hereby rejected.

A meſſage from the Hon. the Senate, delivered by Mr. Silveſter and Mr. Spen
with the bill therein mentioned, was read, that the Senate do recede from their r
lution of adhering to their amendment to the bill entitled "*An act to amend the
making alterations in the criminal law of this State, and for erecting State Priſons.*"

Ordered, That Mr. Henry and Mr. Hoag deliver the bill to the Hon. the Sen
and inform them that the ſame is amended purſuant to the amendments concu
in by this Houſe.

The Hon. the Senate returned by Mr. Silveſter and Mr. Spencer, the bill entit
"*An act to amend the act entitled "An act to divide the county of Schoharie into towns,*"
the bill entitled "*An act to erect Corryſbuſh, together with the church land adjoining the
tent of Schenectady, into a ſeparate town.*"

Ordered, That Mr. Hoag and Mr. J. Hogeboom deliver the ſaid bills to the H
the Council of Reviſion.

A copy of a reſolution of the Hon. the Senate, alſo delivered by Mr. Silveſter
Mr. Spencer, was read, that the Senate have concurred in the reſolution of this Ho
as entered on the journals of this day, relative to appointing a joint committee
take into conſideration the meſſage of his Excellency the Governor of the pre
inſtant, and that Mr. L'Hommedieu, Mr. Addiſon and Mr. Van Vechten be of
ſaid committee on the part of the Senate.

Mr. Maſon, from the committee of the whole Houſe, on the bill entitled "*An
for the relief of Jonas C. Baldwin and others*," reported, that after the ſaid bill had b
read in the committee and debates had thereon, a motion was made that the ſame
rejected, and the queſtion being put thereon, it was carried in the affirmative; wh
he was directed to report to the Houſe, and he read the report in his place and
livered the ſame in at the table, where it was again read and agreed to by the Hou
Thereupon,

Resolved, That the said bill be, and the same is hereby rejected.

Mr. Mason, from the committee of the whole House, on the bill entitled "*An act to dispose of the real estate whereof Charles I. Brannon died seized*," reported, that in proceeding in the said bill, and after the same had been read in the committee, Mr. Mitchell made a motion, that the committee should agree to a resolution, which was read and agreed to; and which he was directed to report to the House, and he read the report in his place and delivered the same in at the table, where it was again read and agreed to by the House. Which said resolution is in the words following, viz.

Resolved, (if the Hon. the Senate concur herein) That Mary Brannon, widow of Charles I. Brannon, late of the city of New-York, have leave to present a bill to either House of the Legislature at their next session, for disposing of the right of the people of this State in the estate of the said Charles I. Brannon; provided the said Mary Brannon cause a copy of the same, and of this resolution, to be inserted in one of the daily newspapers published in the city of New-York, during the term of eight weeks previous thereto.

Ordered, That Mr. Hoag and Mr. J. Hogeboom deliver a copy of the preceding resolution to the Hon. the Senate.

Resolved, That the Secretary of this State cause ten copies of the laws for dividing the towns of Mamakating and Woodstock to be forthwith printed by the printer to this State for the use of said towns; and that the said copies be delivered to the Members attending in this House from the county of Ulster.

Mr. Storm, from the committee of the whole House, on the bill entitled "*An act for the relief of the heirs of Albrecht Behrens*," reported progress.

Mr. K. Hogeboom, from the committee of the whole House, on the bill entitled "*An act for the relief of William Cockburn*," reported, that after the said bill had been read in the committee, a motion was made that the same should be rejected; that the question being put thereon, it was carried in the affirmative; which he was directed to report to the House, and he read the report in his place and delivered the same in at the table, where it was again read and agreed to by the House. Thereupon,

Resolved, That the said bill be, and the same is hereby rejected.

Mr. Storm, from the select committee to whom was committed the bill entitled "*An act for the relief of the Trustees of the First Presbyterian Congregation adhering to the Associate Reformed Synod in Salem, in the county of Washington*," reported, that the committee had gone through the bill without amendment, which he was directed to report to the House, and he read the report in his place and delivered the same in at the table, where it was again read and agreed to by the House.

Ordered, That the bill be engrossed.

Mr. Burr, pursuant to notice by him for that purpose heretofore given, moved for and obtained leave to bring in a bill entitled "*An act relative to writs of certiorari, and to repeal the ninth section of the act concerning Courts of Oyer and Terminer and Gaol Delivery*," which was read the first time and ordered a second reading.

By unanimous consent the said bill was read the second time and committed to a committee of the whole House.

Mr. Fairlie, from the committee of the whole House, on the bill entitled "*An act for the relief of the representatives of Robert C. Livingston, deceased*," reported, that the committee had gone through the bill, made amendments and added a clause, which he was directed to report to the House, and he read the report in his place and delivered the same in at the table, where it was again read and agreed to by the House.

Ordered, That the bill be engrossed.

A message from the Hon. the Council of Revision, delivered by the Hon. Mr. Justice Benson, was read, that it does not appear improper to the Council that the bill entitled "*An act relative to the lots of land reserved for the support of the Gospel and schools, and for the promotion of literature, in the military tract in the county of Onondaga*," should become a law of this State.

Mr. Thomas, from the committee of the whole House, on the bill entitled "*An act for the relief of the representatives of Hannah Armstrong, deceased*," reported, that the committee had gone through the bill without amendment, which he was directed to

report to the Houſe, and he read the report in his place and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

Mr. Heermance, from the committee to whom was referred the petition of Mary Nicoll, reported, that it appears to the committee a great many very expenſive regulations have already taken place in the city of New-York, in conſequence of the act of April, 1787; and that, at preſent, it is not poſſible for the Legiſlature to interfere in the caſe ſo as to do juſtice to thoſe who have complied with ſaid act. The committee are therefore of opinion, that, although the act operates ſeverely on the petitioner, relief cannot, with propriety, be granted in the premiſes.

Then the Houſe adjourned until nine o'clock on Monday morning next.

Monday, nine o'clock, A. M. March 26th, 1798.

The engroſſed bill entitled "*An act for the relief of the repreſentatives of Robert C. Livingſton, deceaſed,*" was read the third time.

Reſolved, That the bill do paſs.

The engroſſed bill entitled "*An act for the relief of the repreſentatives of Hannah Armſtrong, deceaſed,*" was read the third time.

Reſolved, That the bill do paſs.

The engroſſed bill entitled "*An act to regulate the fiſhery in Otſego Lake,*" was read the third time.

Reſolved, That the bill do paſs.

The engroſſed bill entitled "*An act for the relief of the Truſtees of the firſt Preſbyterian Congregation adhering to the aſſociate reformed Synod in Salem, in the county of Waſhington,*" was read the third time.

Reſolved, That the bill do paſs.

The engroſſed bill entiled "*An act for the gradual abolition of ſlavery,*" was read the third time. Mr. Speaker put the queſtion whether the ſaid bill ſhould paſs, and it was carried in the affirmative; and the yeas and nays being taken on motion of Mr. J. Hogeboom, ſeconded by Mr. Ten Broeck, were as follows, viz.

For the Affirmative.

Mr. Arculariue,	Mr. Dewey,	Mr. Hunt,	Mr. Savage,
Mr. J. Barker,	Mr. Fairlie,	Mr. Kane,	Mr. P. I. Schuyler,
Mr. T. Barker,	Mr. Fonda,	Mr. Maſon,	Mr. A. Smith,
Mr. W. Barker,	Mr. Foot,	Mr. M'Cord,	Mr. N. Smith,
Mr. Bird,	Mr. Fort,	Mr. M'Neal,	Mr. T. Smith,
Mr. Bowen,	Mr. Gray,	Mr. Mercalfe,	Mr Storm,
Mr. Brown,	Mr. Gregory,	Mr. Miller,	Mr. Teed,
Mr. Burling,	Mr. Hall,	Mr. Mitchell,	Mr. Thomas,
Mr. Burt,	Mr. Halſey,	Mr. Moſſet,	Mr. Jeſſe Thompſon,
Mr. Clark,	Mr. Hatfield,	Mr. Morſe,	Mr. Joel Thompſon,
Mr. Clifft,	Mr. Henry,	Mr. Potter,	Mr. Iſrael Thompſon,
Mr. Clinton,	Mr. Holt,	Mr. Pride,	Mr. Warner,
Mr. Coe,	Mr. Horton,	Mr. Reeve,	Mr Wheeler,
Mr. Comſtock,	Mr. Howard,	Mr. Robins,	Mr. Wooth,
Mr. De la Montagnie,			

For the Negative.

Mr. Adams,	Mr. Deitz,	Mr. Holly,	Mr. J. Smith,
Mr. Benton,	Mr. J. A. De Witt,	Mr. Lee,	Mr. Snell,
Mr. Bevier,	Mr. J. C. De Witt,	Mr. M'Farlan,	Mr. Ten Broeck,
Mr. Bruyn,	Mr. Gettman,	Mr. Micheau,	Mr. Vandervoort,
Mr. Campbell,	Mr. Heermance,	Mr. Pearſall,	Mr. Van Alſtyne,
Mr. Carman,	Mr. Hoag,	Mr. Prince,	Mr. Wendell,
Mr. Cornwell,	Mr. J. Hogeboom,	Mr. P. P. Schuyler,	Mr. Weſt,
Mr. Coryell,	Mr. K. Hogeboom,	Mr. Skidmore,	

Thereupon, *Reſolved*, That the bill do paſs.

Ordered, That Mr. J. Hogeboom and Mr. K. Hogeboom deliver the five laſt mentioned bills to the Hon. the Senate, and requeſt their concurrence.

The engroſſed bill entitled "*An act to erect part of the counties of Albany and Ulſter into a ſeparate county,*" was read the third time.

Reſolved, That the bill do paſs.

The bill entitled "*An act to repeal the act for the encouragement of ſchools,*" was read the ſecond time, and committed to a committee of the whole Houſe.

A petition of Thomas Hicks and others, was read. Thereupon,

Ordered, That the petitioners have leave to withdraw their petition.

Ordered, That the committee of the whole Houſe be diſcharged from the further conſideration of the bill entitled "*An act to prevent the evils ariſing from the diſſolution of any religious corporation within this State*," and that the ſame be committed to a ſelect committee conſiſting of Mr. Savage, Mr. Coryell and Mr. Burling.

Ordered, That the committee of the whole Houſe be diſcharged from the further conſideration of the bill entitled "*An act for the relief of the people called Shaking Quakers, and the ſect known by the name of Univerſal Friends*," and that the ſame be committed to a ſelect committee conſiſting of Mr. Moffet, Mr. Jenkins and Mr. Lee.

Ordered, That the committee of the whole Houſe be diſcharged from the further conſideration of the bill entitled "*An act for the relief of Abraham Smith*," and that the ſame be committed to a ſelect committee conſiſting of Mr. Coe, Mr. Clinton and Mr. Potter.

The Houſe proceeded to the conſideration of the amendments of the Hon. the Senate to the bill entitled "*An act to veſt the right and title of the people of this State of, in and to the real eſtate whereof John Breadbake died ſeized, in Anna Breadbake, his widow*," the bill and amendments were read, one of the ſaid amendments is to the title, the altered is "*An act for the relief of Anna Breadbake and Ann Ogilvie*," and the amendments being read a ſecond time, were concurred in by the Houſe, and the bill amended accordingly.

Ordered, That Mr. Howard and Mr. Hunt deliver the bill to the Hon. the Senate, and inform them that this Houſe have concurred in their amendments, and have amended the bill accordingly.

Mr. Metcalfe, from the ſelect committee to whom was committed the bill entitled "*An act for the relief of the executors of Abraham Wing, deceaſed*," reported, that the committee had gone through the bill without amendment, which he was directed to report to the Houſe, and he read the report in his place and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That Mr. J. Hogeboom and Mr. K. Hogeboom deliver the bill to the hon. the Senate, and inform them that this Houſe have paſſed the bill without amendment.

Mr. Iſrael Thompſon, from the committee to whom was referred the petition of Marvel Ellis and Lyman Ellis, reported, that the object of the petitioners is laudable, that the erection of a bridge over Salmon river in a new country, is an undertaking ſo conſiderable as to require the aid and aſſiſtance of the public; but the committee are of opinion that the neceſſary appropriations for public buildings and other indiſpenſable calls for monies, have ſo embarraſſed the public treaſury, and drained its reſources, as to render it at preſent impracticable to make any grant to the petitioners. Which report was agreed to by the Houſe.

Reſolved, (if the hon. the Senate concur herein) That Herman Behrens, late of the city of Bremen, have leave to preſent a bill to either houſe of the Legiſlature during the next ſeſſion, for diſpoſing of the right of the people of this State to the real eſtate whereof Albrecht Behrens, late of New-York, died ſeized: Provided the ſaid Herman Behrens ſhall cauſe a copy of the ſame, and of this reſolution, to be inſerted in one of the daily newſpapers printed in the city of New-York, for ſix weeks ſucceſſively previous thereto.

Ordered, That Mr. J. Hogeboom and Mr. K. Hogeboom deliver a copy of the preceding reſolution to the hon. the Senate.

A meſſage from the hon. the Senate, delivered by Mr. Spencer and Mr. Strong, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "*An act to enable aliens to purchaſe and hold real eſtates within this State under certain reſtrictions therein mentioned;*" the ſaid bill was read the firſt time and ordered a ſecond reading.

Mr. De la Montagnie, from the committee of the whole houſe on the bill entitled "*An act ſupplementary to the two acts therein mentioned*," reported, that after the bill had been read in the committee, Mr. Comſtock made a motion that the ſaid bill ſhould be rejected; that the queſtion being put whether the committee did agree to the motion of Mr. Comſtock, it paſſed in the negative; and the yeas and nays being taken on motion of Mr. Comſtock, ſeconded by Mr. Thomas, were as follows, viz.

For the Negative.

Mr. Areularius,	Mr. Fairlie,	Mr. Maſon,	Mr. Snell,
Mr. T. Barker,	Mr. Fonda,	Mr. M'Farlan,	Mr. Storm,
Mr. W. Barker,	Mr. Foot,	Mr. M'Neal,	Mr. Speaker,
Mr. Benton,	Mr. Gettman,	Mr. Metcalfe,	Mr. Ten Broeck,
Mr. Bird,	Mr. Hall,	Mr. Micheau,	Mr. Thomas,
Mr. Brown,	Mr. Heermance,	Mr. Mitchell,	Mr. Joel Thompſon,
Mr. Bruyn,	Mr. Henry,	Mr. Moffet,	Mr. Vandervoort,
Mr. Burr,	Mr. K. Hogeboom,	Mr. Morſe,	Mr. Van Alſtyne,
Mr. Burling,	Mr. Holly,	Mr. Robins,	Mr. Warner,
Mr. Clifft,	Mr. Holt,	Mr. Savage,	Mr. Wendell,
Mr. Clinton,	Mr. Horton,	Mr. P. P. Schuyler,	Mr. Weſt,
Mr. Coryell,	Mr. Howard,	Mr. Skidmore,	Mr. Wheeler,
Mr. Deitz,	Mr. Hunt,	Mr. J. Smith,	Mr. Williamſon,
Mr. Dewey,	Mr. Kane,	Mr. N. Smith,	Mr. Wood. 57

For the Affirmative.

Mr. Adams,	Mr. Carman,	Mr. Hatfield,	Mr. Reeve,
Mr. Barber,	Mr. Clark,	Mr. J. Hogeboom,	Mr. Rice,
Mr. J. Barker,	Mr. Coe,	Mr. Jenkins,	Mr. A. Smith,
Mr. Bevier,	Mr. Comſtock,	Mr. Lee,	Mr. T. Smith,
Mr. Bowen,	Mr. J. A. De Witt,	Mr. M'Cord,	Mr. Teed,
Mr. Boyd,	Mr. J. C. De Witt,	Mr. Miller,	Mr. Jeſſe Thompſon,
Mr. Burt,	Mr. Gray,	Mr. Potter,	Mr. Iſrael Thompſon. 34
Mr. Campbell,	Mr. Halſey,	Mr. Pride,	

Mr. De la Montagnie further reported, that the committee had gone through the bill and made amendments, which he was directed to report to the houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the houſe.

Ordered, That the bill be engroſſed.

Mr. Moffet, from the ſelect committee to whom was committed the bill entitled "*An act for the relief of the people called Shaking Quakers and the religious ſect known by the name of Univerſal Friends*," reported, that the committee had gone through the bill without amendment, which he was directed to report to the houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the houſe.

Ordered, That Mr. J. Hogeboom and Mr. K. Hogeboom deliver the bill to the hon. the Senate, and inform them that this houſe have paſſed the bill without amendment.

Reſolved, That this houſe will on Wedneſday next, proceed to chooſe by ballot ſix perſons as a committee on the part of this houſe, to meet with the committee to be appointed by the hon. the Senate, at the office of the Secretary of this State in purſuance of the Statute entitled "*An act for regulating elections*," and of the ſtatute entitled "*An act for electing Repreſentatives for this State in the Houſe of Repreſentatives of the Congreſs of the United States of America*," for the purpoſe of canvaſſing the votes to be taken at the next election for Governor, Lieutenant-Governor, Senators of this State and Repreſentatives for this State in the Houſe of Repreſentatives of the Congreſs of the United States.

Mr. P. P. Schuyler made a motion that the houſe ſhould agree to reconſider the queſtion taken upon paſſing the bill entitled "*An act to erect part of the counties of Albany and Ulſter into a ſeparate county.*" Mr. Speaker put the queſtion whether the houſe did agree to reconſider the ſaid queſtion, and it was carried in the affirmative; the yeas and nays being taken on motion of Mr. Heermance, ſeconded by Mr. J. Hogeboom, were as follows, viz.

For the Affirmative.

Mr. Areularius,	Mr. Foot,	Mr. M'Neal,	Mr. P. P. Schuyler,
Mr. J. Barker,	Mr. Fort,	Mr. Metcalfe,	Mr. Skidmore,
Mr. Benton,	Mr. Gettman,	Mr. Micheau,	Mr. T. Smith,
Mr. Bird,	Mr. Gray,	Mr. Miller,	Mr. Snell,
Mr. Bowman,	Mr. Gregory,	Mr. Moffet,	Mr. Teed,
Mr. Brown,	Mr. Hall,	Mr. Pearſall,	Mr. Jeſſe Thompſon,
Mr. Burling,	Mr. Henry,	Mr. Potter,	Mr. Joel Thompſon,
Mr. Carman,	Mr. Hoag,	Mr. Prince,	Mr. Van Alſtyne,
Mr. Clifft,	Mr. Horton,	Mr. Pride,	Mr. Wendell,
Mr. Cornwell,	Mr. Kane,	Mr. Reeve,	Mr. Weſt,
Mr. Coryell,	Mr. Lee,	Mr. Rice,	Mr. Wheeler,
Mr. Deitz,	Mr. Maſon,	Mr. Savage,	Mr. Williamſon,
Mr. Dewey,	Mr. M'Farlan,	Mr. P. I. Schuyler,	Mr. Wood. 53
Mr. Fonda,			

For the Negative.

Mr. Adams,	Mr. Clinton,	Mr. J. Hogeboom,	Mr. Robins,
Mr. Barber,	Mr. Coe,	Mr K. Hogeboom,	Mr. A. Smith,
Mr. T. Barker,	Mr. Comſtock,	Mr. Holly,	Mr. J. Smith,
Mr. W. Barker,	Mr. De la Montagnie,	Mr. Holt,	Mr. Storm,
Mr Bevier,	Mr. J. A. De Witt,	Mr. Howard,	Mr. Ten Broeck,
Mr. Bowen,	Mr. J. C. De Witt,	Mr. Hunt,	Mr. Thomas,
Mr. Bruyn,	Mr. Fairlie,	Mr. M'Cord,	Mr. Iſrael Thompſon,
Mr. Burt,	Mr. Halſey,	Mr. Mitchell,	Mr. Vandervoort,
Mr. Campbell,	Mr. Hatfield,	Mr. Morſe,	Mr. Warner. 38
Mr. Clark,	Mr. Heermance,		

Thereupon, *Ordered*, That the ſaid bill be recommitted to a committee of the whole houſe.

Mr. Bird, from the committee to whom was referred the petition of William Keating, reported in favor of the petitioner, and obtained leave to bring in a bill, entitled "*An act for the relief of William Keating*," which was read the firſt time and ordered a ſecond reading.

Mr. Bird, from the ſelect committee to whom was committed the bill entitled "*An act to authorize the raiſing a ſum of money for making certain neceſſary accommodations for the gaol and certain repairs for the court-houſe in the county of Renſſelaer*," reported, that the committee had gone through the bill and filled up the blanks, which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

Ordered, That the committee of the whole houſe be diſcharged from the further conſideration of the bill entitled "*An act for conſtructing a road and eſtabliſhing and erecting turnpikes between Fiſhkill and Tarrytown*," and that the ſame be committed to a ſelect committee, conſiſting of Mr. Mitchell, Mr. Metcalfe, Mr. Williamſon, Mr. P. Schuyler and Mr. Prince.

Ordered, That the commitee of the whole Houſe be diſcharged from the further conſideration of the bill entitled "*An act for laying out and completing a road from Mamakating, in Ulſter county, to Coſhecton, on the Delaware River*," and that the ſame be committed to a ſelect committee, conſiſting of the Members attending in this houſe from the county of Ulſter.

Ordered, That the committee of the whole Houſe be diſcharged from the further conſideration of the bill entitled "*An act for the relief of John Leonard and others*," and that the ſame be committed to the committee of the whole Houſe, when on the bill entitled "*An act to amend an act entitled "An act for the further ſale of the unappropriated lands of this State.*"

Mr. Deitz, from the committee to whom was referred the petition of Elizabeth Griſler, reported againſt the prayer thereof, which report was agreed to by the houſe.

A petition of Reuben Baker and others, inhabitants of the town of Mamakating, in the county of Ulſter, remonſtrating againſt the diviſion of ſaid town, was read. Thereupon,

Ordered, That the petitioners have leave to withdraw their petition.

Mr. Wood, from the committee of the whole houſe, on the bill entitled "*An act authorizing the Treaſurer of this State to diſcharge a certain mortgage therein mentioned*," reported, that the committee had gone through the bill, made amendments and altered the title; that the altered title is, "*An act ſupplementary to the act entitled "An act for the better ſupport of the Oneida, Cayuga and Onondaga Indians, and for other purpoſes therein mentioned*," and to the act entitled "*An act relative to lands in Brothertown*," which he was directed to report to the houſe, and he read the report in his place and delivered the ſame in at the table, where it was again read and agreed to by the houſe.

Ordered, That the bill be engroſſed.

A petition of Alexander Lanſing, relative to a lot of land granted to Nicholas Vedder for the ſervices of Arnt Vedder as a ſoldier in Col. Van Schaick's regiment during the late war, was read and referred to the Members attending in this houſe from the city and county of Albany.

The Hon. the Senate returned by Mr. Tappen and Mr. Ten Eyck, the bill entitled "*An act for the relief of John Porteous and Alexander Ellice,*" and the bill entitled "*An act to amend the act making alterations in the criminal law of this State, and for erecting State Prisons.*"

Ordered, That Mr. Holt and Mr. Horton deliver the two last mentioned bills to the Hon. the Council of Revision.

Mr. P. I. Schuyler, from the committee of the whole house, on the bill entitled "*An act relative to the Gospel and school lots in the town of Sherburne, in the county of Herkemer,*" reported progress, and obtained leave to sit again.

Mr. Metcalfe, from the committee of the whole house, on the bill entitled "*An act for the relief of Mary Hanson,*" reported, that the committee had made some progress in the bill, and had directed him to move for leave to sit again.

Mr. Speaker put the question, whether the said committee should have leave to sit again, and it passed in the negative. The yeas and nays being taken on motion of Mr. Coryell, seconded by Mr. N. Smith, were as follows, viz.

For the Negative.

Mr. Adams,	Mr. Clark,	Mr. Hall,	Mr. Pearsall,
Mr. Barber,	Mr. Clifft,	Mr. Halsey,	Mr. Potter,
Mr. W. Barker,	Mr. Coe,	Mr. Hatfield,	Mr. Prince,
Mr. Benton,	Mr. Comstock,	Mr. K. Hogeboom,	Mr. Pride,
Mr. Bird,	Mr. Cornwell,	Mr. Holly,	Mr. P. P. Schuyler,
Mr. Bevier,	Mr. Coryell,	Mr. Holt,	Mr. J. Smith,
Mr. Bowen,	Mr. Deitz,	Mr. Lee,	Mr. N. Smith,
Mr. Bowman,	Mr. J. C. De Witt,	Mr. Mason,	Mr. T. Smith,
Mr. Bruyn,	Mr. Fort,	Mr. M'Cord,	Mr. Teed,
Mr. Burt,	Mr. Gettman,	Mr. M'Farlan,	Mr. Jesse Thompson,
Mr. Campbell,	Mr. Gregory,	Mr. Moffet,	Mr. Wheeler. 45
Mr. Carman,			

For the Affirmative.

Mr. Arcularius,	Mr. Fairlie,	Mr. M'Neal,	Mr. A. Smith,
Mr. J. Barker,	Mr. Fonda,	Mr. Metcalfe,	Mr. Snell,
Mr. T. Barker,	Mr. Foot,	Mr. Micheau,	Mr. Storm,
Mr. Boyd,	Mr. Gray,	Mr. Mitchell,	Mr. Ten Broeck,
Mr. Burr,	Mr. Henry,	Mr. Ogden,	Mr. Joel Thompson,
Mr. Burling,	Mr. Hoag,	Mr. Reeve,	Mr. Van Alstyne,
Mr. Clinton,	Mr. J. Hogeboom,	Mr. Rice,	Mr. Warner,
Mr. De la Montagnie,	Mr. Horton,	Mr. Robins,	Mr. Wendell,
Mr. J. A. De Witt,	Mr. Howard,	Mr. Savage,	Mr. Wood. 39
Mr. Dewey,	Mr. Kane,	Mr. Skidmore,	

The engrossed bill entitled "*An act to authorize the raising a sum of money for making certain necessary accommodations for the gaol and certain repairs for the court-house in the county of Rensselaer,*" was read the third time.

Resolved, That the bill do pass.

Ordered, That Mr. Howard and Mr. Hunt deliver the bill to the Hon. the Senate, and request their concurrence.

Schedules of schools from the county of Otsego, were read and referred to Mr. Comstock, Mr. Clifft and Mr. Lee.

Mr. Hall, from the committee of the whole house, on the bill entitled "*An act for the relief of Samuel Baer,*" reported progress.

Mr. Burling, from the committee of the whole house, on the bill entitled "*An act to amend the act entitled "An act for the relief of John B. Coles, and to provide for laying out of new roads,*" reported progress, and obtained leave to sit again.

Then the House adjourned until ten o'clock to-morrow morning.

Tuesday, ten o'clock, A. M. March 27th, 1798.

The engrossed bill entitled "*An act supplementary to the act entitled "An act for the better support of the Oneida, Cayuga and Onondaga Indians, and for other purposes therein mentioned,*" and to the act entitled "*An act relative to lands in Brothertown,*" was read the third time.

Resolved, That the bill do pass.

The engrossed bill entitled "*An act supplementary to the two acts therein mentioned,*" was read the third time.

Mr. Speaker put the question, whether the said bill do pass, and it was carried in the affirmative. The ayes and nays being taken on motion of Mr. Potter, seconded by Mr. J. Hogeboom, were as follows, viz.

For the Affirmative.

Mr. Adams,	Mr. De la Montagnie,	Mr. Kane,	Mr. P. P. Schuyler,
Mr. Arcularius,	Mr. Dewey,	Mr. Maſon,	Mr. Skidmore,
Mr. T. Barker,	Mr. Fairlie,	Mr. M'Farlan,	Mr. J. Smith,
Mr. Benton,	Mr. Fonda,	Mr. M'Neal,	Mr. N. Smith,
Mr. Bowman,	Mr. Foor,	Mr. Metcalfe,	Mr Snell,
Mr. Brown,	Mr. Fort,	Mr. Michean,	Mr. Storm,
Mr. Bruyn,	Mr. Gettman,	Mr. Mitchell,	Mr. Ten Broeck,
Mr. Burr,	Mr. Hall,	Mr. Moffet,	Mr. Joel Thompſon,
Mr. Burling,	Mr. Heermance,	Mr. Morſe,	Mr. Vandervoort,
Mr. Carman,	Mr Henry,	Mr. Ogden,	Mr. Van Alſtyne,
Mr. Clifft,	Mr. Hoag,	Mr. Pearſall,	Mr. Warner,
Mr. Clinton,	Mr. K. Hogeboom,	Mr. Prince,	Mr. Wendell,
Mr. Coe,	Mr. Holly,	Mr. Pride,	Mr. Wheeler,
Mr. Cornwell,	Mr. Holt,	Mr. Robins,	Mr. Williamſon,
Mr. Coryell,	Mr. Howard,	Mr. Savage,	Mr. Wood. 63
Mr. Deitz,	Mr. Hunt,	Mr. P. I. Schuyler,	

For the Negative.

Mr. Barber,	Mr Clark,	Mr. J. Hogeboom,	Mr. Rice,
Mr. J. Barker,	Mr. Comſtock,	Mr. Jenkins,	Mr. A. Smith,
Mr. W. Barker,	Mr. J. A. De Witt,	Mr. Lee,	Mr. T. Smith,
Mr. Bevier,	Mr. J. C. De Witt,	Mr. M'Cord,	Mr Teed,
Mr. Bowen,	Mr. Gray,	Mr. Miller,	Mr. Iſrael Thompſon,
Mr. Boyd,	Mr. Gregory,	Mr. Potter,	Mr. Jeſſe Thompſon,
Mr. Burt,	Mr. Halſey,	Mr. Reeve,	Mr. Voſburgh. 30
Mr. Campbell,	Mr. Hatfield,		

Thereupon, *Reſolved*, That the bill do paſs.

Ordered, That Mr. Hunt and Mr. Jenkins deliver the two laſt mentioned bills to e Hon. the Senate, and requeſt their concurrence.

The bill entitled "*An act to enable aliens to purchaſe and hold real eſtates within this ate, under certain reſtrictions therein mentioned,*" and the bill entitled "*An act for the lief of William Keating,*" were ſeverally read a ſecond time and committed to a committee of the whole Houſe.

A meſſage from the Hon. the Council of Reviſion, delivered by the Hon. the hief Juſtice, was read, that it does not appear improper to the Council, that the ll entitled "*An act to amend the act entitled "An act for dividing the county of Schoharie o towns ;*" the bill entitled "*An act to incorporate that part of the town of Shenectady erein mentioned,*" and the bill entitled "*An act to erect Corryſbuſh, together with the urch land adjoining the patent of Schenectady on the ſouth ſide of the Mohawk River, into eparate town,*" ſhould ſeverally become laws of this State.

Ordered, That the committee of the whole houſe be diſcharged from the further nſideration of the bill entitled "*An act for the relief of the children of Martin Heyſer,*" d that the ſame be committed to a ſelect committee, conſiſting of Mr. Clifft, Mr. etcalfe and Mr. M'Neal.

Ordered, That the committee of the whole houſe be diſcharged from the further nſideration of the bill entitled "*An act to amend the act entitled "An act making proion to keep in repair the bridge over the Mohawk river, below the Cohoes falls,*" and that ſame be committed to a ſelect committee, conſiſting of the Members attending this houſe from the city and county of Albany, and the county of Saratoga.

Ordered, That the committee of the whole houſe be diſcharged from the further nſideration of the bill entitled "*An act to amend the act entitled "An act to regulate the actice of Phyſic and Surgery in this State,*" and that the ſame be referred to a ſelect mmittee, conſiſting of Mr. Comſtock, Mr. Metcalfe, Mr. Mitchell, Mr. Brown and r. Wendell.

Ordered, That the committee of the whole houſe be diſcharged from the further nſideration of the bill entitled "*An act for the relief of the Dutch Congregation in the ns of Schoharie and Middleburgh,*" and that the ſame be committed to a ſelect comtee, conſiſting of Mr. Rice, Mr. Van Alſtyne and Mr. P. P. Schuyler.

A petition of John Lamb, relative to his accounts as Collector of the Cuſtoms of port of New-York, under this State, was read and referred to Mr. Burr, Mr. ood and Mr. Williamſon.

Mr. Clinton, from the ſelect committee to whom was committed the bill entitled n act for the relief of Abraham Smith," reported, that the committee had gone ough the bill without amendment, which he was directed to report to the Houſe, he read the report in his place and delivered the ſame in at the table, where it again read and agreed to by the Houſe.

Ordered, That Mr. Hunt and Mr. Jenkins deliver the bill to the Hon. the Senate, and inform them that this Houſe have paſſed the bill without amendment.

Mr. Savage, from the ſelect committee to whom was committed the bill entitled "*An act to prevent the evils ariſing from the diſſolution of any religious corporation within this State*," reported, that the committee had gone through the bill and made amendments, which he was directed to report to the Houſe, and he read the report in his place and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

A meſſage from the Hon. the Senate, delivered by Mr. Ten Eyck and Mr. Thompſon, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "*An act repealing the ſecond ſection of the act entitled "An act for the relief of William Chaſe, and for keeping in repair the bridge over Hooſack River*," without amendment.

Ordered, That Mr. Lee and Mr. Maſon deliver the bill to the Hon. the Council of Reviſion.

A copy of a reſolution of the Hon. the Senate, alſo delivered by Mr. Ten Eyck and Mr. Thompſon, was read, and is in the words following, viz.

Reſolved, (if the Hon. the Aſſembly concur herein) That his Excellency the Governor be, and he is hereby requeſted and authorized to deliver for the uſe of the United States, thirty of the twenty-four pound cannon lately caſt at the furnace in Saliſbury belonging to this State, under an aſſurance from the Preſident of the United States, that others of the like dimenſions and caſt at the ſame foundery, ſhall be returned as ſoon as they can be made.

Ordered, That the conſideration of the ſaid reſolution be poſtponed.

Purſuant to the order of the day the houſe proceeded to the conſideration of the reſolution as entered on the journals of the 15th inſtant, relative to the adjournment of the Legiſlature; Mr. Burr made a motion that the further conſideration of the ſaid reſolution be poſtponed until Friday next.

Mr. Speaker put the queſtion whether the houſe did agree to the motion of Mr. Burr, and it paſſed in the negative; the yeas and nays being taken on motion of Mr. Fairlie, ſeconded by Mr. Reeve, were as follows, viz.

For the Negative.

Mr. Adams,	Mr. Fort,	Mr. M'Farlan,	Mr. N. Smith,
Mr. Baldwin,	Mr. Gray,	Mr. M'Neal,	Mr. T. Smith,
Mr. Barber,	Mr. Gregory,	Mr. Metcalfe,	Mr. Snell,
Mr. W. Barker,	Mr. Halſey,	Mr. Micheau,	Mr. Storm,
Mr. Benton,	Mr. Hatfield,	Mr. Miller,	Mr. Teed,
Mr. Bevier,	Mr. Henry,	Mr. Ogden,	Mr. Jeſſe Thompſon,
Mr. Bowen,	Mr. J. Hogeboom,	Mr. Pearſall,	Mr. Iſrael Thompſon,
Mr. Boyd,	Mr. K. Hogeboom,	Mr. Potter,	Mr. Vandervoort,
Mr. Burt,	Mr. Howard,	Mr. Pride,	Mr. Van Alſtyne,
Mr. Clifft,	Mr. Jenkins,	Mr. Reeve,	Mr. Voſburgh,
Mr. Coryell,	Mr. Lee,	Mr. Skidmore,	Mr. Warner,
Mr. De la Montagnie,	Mr. Maſon,	Mr. A. Smith,	Mr. Wood.
Mr. J. C. De Witt,	Mr. M'Cord,	Mr. J. Smith,	

For the Affirmative.

Mr. Arcularius,	Mr. Coe,	Mr. Heermance,	Mr. Rice,
Mr. J. Barker,	Mr. Comſtock,	Mr. Hoag,	Mr. Robins,
Mr. T. Barker,	Mr. Cornwell,	Mr. Holly,	Mr. P. I. Schuyler,
Mr. Bowman,	Mr. Deitz,	Mr. Holt,	Mr. P. P. Schuyler,
Mr. Brown,	Mr. J. A. De Witt,	Mr. Horton,	Mr. Ten Broeck,
Mr. Bruyn,	Mr. Dewey,	Mr. Hunt,	Mr. Thomas,
Mr. Burr,	Mr. Fairlie,	Mr. Kane,	Mr. Joel Thompſon,
Mr. Burling,	Mr. Fonda,	Mr. Mitchell,	Mr. Wendell,
Mr. Campbell,	Mr. Foot,	Mr. Moffet,	Mr. Weſt,
Mr. Carman,	Mr. Gettman,	Mr. Morſe,	Mr. Wheeler,
Mr. Clark,	Mr. Hall,	Mr. Prince,	Mr. Williamſon.
Mr. Clinton,			

Mr. Mitchell made a motion that the houſe ſhould agree to add the following words at the end of the ſaid reſolution, "*to meet at* ————." The queſtion being put whether the houſe did agree thereto, it was carried in the affirmative.

Mr. Maſon made a motion that the firſt blank in the ſaid reſolution be filled up with the words "*Tueſday the third day of April next.*"

Mr. Speaker put the queſtion whether the houſe did agree thereto, and it was carried in the affirmative.

Mr. Benton made a motion that the ſecond blank in the ſaid reſolution be filled up with the words "*the city of Hudſon.*"

Mr. Fairlie made a motion that the ſaid blank be filled up with the words "*the city of New-York.*"

Mr. Speaker put the queſtion whether the houſe did agree to the motion of Mr. Benton, it paſſed in the negative; the yeas and nays being taken on motion of Mr. Benton, ſeconded by Mr. Ten Broeck, were as follows, viz.

For the Negative.

Mr. Adams,	Mr. Dewey,	Mr. Kane,	Mr. P. P. Schuyler,	
Mr. Arcularius,	Mr. Fairlie,	Mr. Lee,	Mr. Skidmore,	
Mr. Baldwin,	Mr. Fonda,	Mr. Maſon,	Mr. N. Smith,	
Mr. J. Barker,	Mr. Foot,	Mr. M'Cord,	Mr. T. Smith,	
Mr. T. Barker,	Mr. Fort,	Mr. M'Farlan,	Mr. Snell,	
Mr. Bird,	Mr. Gettman,	Mr. M'Neal,	Mr. Storm,	
Mr. Bowen,	Mr. Gray,	Mr. Metcalfe,	Mr. Teed,	
Mr. Bowman,	Mr. Gregory,	Mr. Micheau,	Mr. Jeſſe Thompſon,	
Mr. Brown,	Mr. Hall,	Mr. Mitchell,	Mr. Joel Thompſon,	
Mr. Bruyn,	Mr. Hatfield,	Mr. Moffet,	Mr. Iſrael Thompſon,	
Mr. Burr,	Mr. Heermance,	Mr. Morſe,	Mr. Vandervoort,	
Mr. Burling,	Mr. Henry,	Mr. Ogden,	Mr. Van Alſtyne,	
Mr. Burt,	Mr. Hoag,	Mr. Pearſall,	Mr. Warner,	
Mr. Campbell,	Mr. Holly,	Mr. Prince,	Mr. Wendell,	
Mr. Clark,	Mr. Holt,	Mr. Pride,	Mr. Weſt,	
Mr. Coe,	Mr. Horton,	Mr. Rice,	Mr. Wheeler,	
Mr. Comſtock,	Mr. Howard,	Mr. Savage,	Mr. Williamſon,	
Mr. Coryell,	Mr. Hunt,	Mr. P. I. Schuyler,	Mr. Wood.	73
Mr. Deitz,				

For the Affirmative.

Mr. Barber,	Mr. Clinton,	Mr. J. Hogeboom,	Mr. Robins,	
Mr. W. Barker,	Mr. Cornwell,	Mr. K. Hogeboom,	Mr. A. Smith,	
Mr. Benton,	Mr. De la Montagnie,	Mr. Jenkins,	Mr. J. Smith,	
Mr. Bevier,	Mr. J. A. De Witt,	Mr. Miller,	Mr. Ten Broeck,	
Mr. Boyd,	Mr. J. C. De Witt,	Mr. Potter,	Mr. Thomas,	
Mr. Carman,	Mr. Halſey,	Mr. Reeve,	Mr. Vosburgh.	25
Mr. Clifft,				

Mr. Speaker put the queſtion whether the houſe did agree to the motion of Mr. Fairlie, it paſſed in the negative; the yeas and nays being taken on motion of Mr. Ogden, ſeconded by Mr. Gray, were as follows, viz.

For the Negative.

Mr. Baldwin,	Mr. Fort,	Mr. Kane,	Mr. N. Smith,	
Mr. T. Barker,	Mr. Gettman,	Mr. Maſon,	Mr. T. Smith,	
Mr. Benton,	Mr. Gray,	Mr. M'Farlan,	Mr. Snell,	
Mr. Bowen,	Mr. Gregory,	Mr. M'Neal,	Mr. Ten Broeck,	
Mr. Brown,	Mr. Hall,	Mr. Metcalfe,	Mr. Jeſſe Thompſon,	
Mr. Bruyn,	Mr. Halſey,	Mr. Moffet,	Mr. Iſrael Thompſon,	
Mr. Campbell,	Mr. Heermance,	Mr. Morſe,	Mr. Joel Thompſon,	
Mr. Clark,	Mr. Henry,	Mr. Ogden,	Mr. Van Alſtyne,	
Mr. Comſtock,	Mr. Hoag,	Mr. Prince,	Mr. Voſburgh,	
Mr. Coryell,	Mr. J. Hogeboom,	Mr. Pride,	Mr. Wendell,	
Mr. Deitz,	Mr. K. Hogeboom,	Mr. Rice,	Mr. Weſt,	
Mr. Dewey,	Mr. Holly,	Mr. Savage,	Mr. Wheeler,	
Mr. Fonda,	Mr. Holt,	Mr. P. I. Schuyler,	Mr. Williamſon,	
Mr. Foot,	Mr. Horton,	Mr. P. P. Schuyler,	Mr. Wood.	56

For the Affirmative.

Mr. Adams,	Mr. Carman,	Mr. Howard,	Mr. Reeve,	
Mr. Arcularius,	Mr. Clifft,	Mr. Hunt,	Mr. Robins,	
Mr. Barber,	Mr. Clinton,	Mr. Jenkins,	Mr. Skidmore,	
Mr. J. Barker,	Mr. Coe,	Mr. Lee,	Mr. A. Smith,	
Mr. W. Barker,	Mr. Cornwell,	Mr. M'Cord,	Mr. J. Smith,	
Mr. Bevier,	Mr. De la Montagnie,	Mr. Micheau,	Mr. Storm,	
Mr. Bowman,	Mr. J. A. De Witt,	Mr. Miller,	Mr. Teed,	
Mr. Boyd,	Mr. J. C. De Witt,	Mr. Mitchell,	Mr. Thomas,	
Mr. Burr,	Mr. Fairlie,	Mr. Pearſall,	Mr. Vandervoort,	
Mr. Burling,	Mr. Hatfield,	Mr. Potter,	Mr. Warner.	41
Mr. Burt,				

Mr. Clinton made a motion that the words "*to meet at* ———" be ſtricken out of the ſaid reſolution. The queſtion being put whether the houſe did agree to the motion of Mr. Clinton, it was carried in the affirmative. Thereupon,

Resolved, (if the Hon. the Senate concur herein) That the Legislature will adjourn on Tuesday the third day of April next.

Ordered, That Mr. Hunt and Mr. Jenkins deliver a copy of the preceding resolution to the Hon. the Senate.

Mr. Comstock, from the committee to whom was referred the returns of schools, reported as follows, viz.

TOWNS.	Number of Schools.	COUNTIES.	Number of Scholars.	Number of Days of Instruction.
Southeast	8	Dutchess.	518	44,165
Rhinebeck	15	do	979	66,631
Phillips	10	do	514	33,294
Beekman	20	do	733	66,548
Amenia	20	do	309	3,859x
Carmell	8	do	357	1,911x
Fishkill	26	do	855	80,589
Stamford	18	do	644	49,423
Poughkeepsie	8	do	278	24,244
Paulings	26	do	957	67,861
Franklin	7	do	266	27,115
Washington	11	do	607	47,414
Fredericks	7	do	329	24,634
Clinton	21	do	887	79,533
Northeast	26	do	766	40,862
Total	231	*Total*	8,988	658,083
City of Hudson	13	Columbia.	668	71,170
Livingston	22	do	1,043	92,270
Kinderhook	11	do	584	30,810
Chatham	17	do	936	73,281
Claverack	11	do	683	55,273
Total	74	*Total*	3,914	322,804
Hoosack	16	Rensselaer.	795	63,921
Stephentown	22	do	877	74,488
Troy	9	do	559	64,759
Green-Bush	11	do	297	53,394
Petersburgh	27	do	1,433	49,472
Schodack	23	do	790	76,160
Scaghticoke	10	do	626	42,544
Pittstown	15	do	900	63,670
Total	133	*Total*	6,287	488,408
Champlain	3	Clinton.	119	5,062
Crown-Point	5	do	136	5,650
Willsborough	4	do	203	13,111
Plattsburgh	5	do	222	8,885
Total	17	*Total*	680	32,708

N. B. The number of days of instruction marked with an x are the number of days the instructors teached such schools.

TOWNS.	Number of Schools.	COUNTIES.	Number of Scholars.	Number of Days of Instruction.
Northfield	5	RICHMOND.	175	26,583
Caſtletown	9	do	196	17,201
Weſtfield	4	do	165	14,713
Southfield	6	do	128	8,331
Total	24	*Total*	664	66,828
Salem	13	WASHINGTON.	860	2,559x
Weſtfield	18	do	776	2,032x
Hartford	11	do	639	1,986x
Cambridge	30	do	1,471	102,392
Eaſton	11	do	634	1,561x
Kingſbury	11	do	529	26,389
Hebron	14	do	760	43,229
Granville	20	do	929	58,219
Whitehall	11	do	433	21,044
Fairfield	3	do	82	3,567
Argyle	22	do		65,135
Queenſbury	9	do	333	11,327
Total	173	*Total*	6,446	339,440
Galaway	13	SARATOGA.	810	66,563
Stillwater	17	do	896	61,775
Charleſton	7	do	367	1,637
Saratoga	28	do	1,110	77,276
Half-Moon	18	do	899	68,073
Milton	12	do	762	40,671
Providence	7	do	364	16,694
Ballſtown	15	do	791	45,850
Greenfield	11	do	204	3.544x
Total	128	*Total*	6,803	382,083
Orange	5	ORANGE.	233	1,168
Goſhen	13	do	988	46,009
Cornwall	38	do	985	69,120
Hampſted	8	do	353	41,715
Warwick	21	do	892	72,462
Harveſtraw	4	do	159	8,619
Miniſink	20	do	785	48,921
Total	109	*Total*	4,395	288,014
Whiteſtown	22	HERKEMER.	958	71,343
Norway	5	do	182	10,641
Sangersfield	14	do	382	15,041
Floyd	4	do	253	8,929
Fairfield	9	do	499	24,726
Brookfield	7	do	230	497x
Litchfield	9	do	439	19,283
German-Flatts	6	do	97	1,065x
Weſtmoreland	6	do	316	945x
Frankfort	4	do	160	13,772
Sherburne	3	do	151	244x
Total	91	*Total*	3,667	166,586

TOWNS.	Number of Schools.	COUNTIES.	Number of Scholars.	Number of Days of Inſtruction.
Milton	9	ONONDAGA.	317	14,063
Ovid	1	do	53	182x
Aurelius	4	do	169	6,959
Romulus	3	do	93	3,233
Manlius	9	do	274	15,219
Scipio	11	do	320	13,651
Marcellus	3	do	90	2,491
Pompey	5	do	232	13,107
Total	45	*Total*	1,548	68,905
Oſterbay	22	QUEEN'S.	1,057	4,141x
North-Hempſtead	9	do	377	2,053
Fluſhing	6	do	185	16,433
Newton	7	do	354	40,041
Hemſtead	14	do	662	3,139x
Jamaica	5	do	320	44,277
Total	63	*Total*	3,255	110,084
Smithtown	7	SUFFOLK.	260	24,026
River-Head	6	do	422	1,449x
Total	13	*Total*	682	25,475
Flattbuſh	2	KING'S	96	11,865
Graveſend	1	do	40	249x
New-Utrecht	2	do	66	14,291
Flat-Lands	1	do	51	10,720
Total	6	*Total*	253	37,125
Amſterdam	10	MONTGOMERY.	448	29,506
Broadalbin	13	do	444	38,813
Johnſtown	20	do	834	93,721
Mayfield	5	do	222	554x
Ditto	2	do	77	426x
Charleſtown	17	do	775	56,796
Total	66	*Total*	2,800	219,816
Renſſelaerville	22	ALBANY.	926	73,234
Bern	11	do	503	49,563
Coxſackie	33	do	1,126	54,387
Cattſkill	11	do	652	51,057
Freehold	20	do	949	71,480
Schenectady	17	do	883	79,889
Total	104	*Total*	5,039	379,610
Richfield	10	OTSEGO.	390	25,217
Otſego	16	do	911	62,356
Suffrage	4	do	194	7,436
Otego	6	do	340	609x
Cherry-Valley	7	do	380	27,811
Worceſter	9	do	284	21,679
Middlefield	5	do	186	10,716
Franklin	11	do	394	1,181x
Butternuts	7	do	194	7,497
Total	75	*Total*	4,233	164,492

COUNTIES.	Number of Schools.	Number of Scholars.
Dutcheſs	231	8,988
Columbia	74	3,914
Renſſelaer	133	6,287
Clinton	17	688
Richmond	24	664
Waſhington	173	6,446
Saratoga	128	6,803
Orange	109	4,395
Herkemer	91	3,667
Onondaga	45	1,548
Queen's	63	3,255
Suffolk	13	682
King's	6	253
Montgomery	66	2,800
Albany	104	5,039
Oſſego	75	4,233
Total	1,352	59,660

New-York, Weſtcheſter, Delaware, Ulſter, Ontario, Stuben, Tioga — *From theſe Counties no returns have been received.*

By the moſt accurate calculation your committee has been able to make, the appropriation amounts to one cent per day to a ſcholar.

Ordered, That the committee of the whole Houſe be diſcharged from the further conſideration of the bill entitled "*An act to enable certain perſons therein named to purchaſe and hold real eſtates within State*," and that the ſame be committed to a ſelect committee conſiſting of Mr. Mitchell, Mr. M'Neal, and Mr. Moffet.

Mr. Fairlie, from the committee of the whole houſe on the bill entitled "*An act to erect part of the counties of Albany and Ulſter into a ſeparate county*," reported, that after the ſaid bill had been read in the committee and ſome amendments made thereto, Mr. Heermance made a motion that the ſaid bill ſhould be rejected, that debates were had thereon, and the queſtion being put whether the committee did agree to the motion of Mr. Heermance, it paſſed in the negative; the yeas and nays being taken on motion of Mr. Heermance, ſeconded by Mr. Ogden, were as follows, viz.

For the Negative.

Mr. Adams,
Mr. Arcularius,
Mr. Baldwin,
Mr. Barber,
Mr. J. Barker,
Mr. T. Barker,
Mr. W. Barker,
Mr. Bird,
Mr. Bevier,
Mr. Bowen,
Mr. Bowman,
Mr. Bruyn,
Mr. Burr,
Mr. Burt,
Mr. Campbell,
Mr. Carman,
Mr. Clark,
Mr. Coe,
Mr. Comſtock,
Mr. Coryell,
Mr. Deitz,
Mr. De la Montagnie,
Mr. J. A. De Witt,
Mr. J. C. De Witt,
Mr. Dewey,
Mr. Foot,
Mr. Fort,
Mr. Gettman,
Mr. Gray,
Mr. Halley,
Mr. Hatfield,
Mr. Henry,
Mr. Hoag,
Mr. J. Hogeboom,
Mr. Holly,
Mr. Holt,
Mr. Howard,
Mr. Hunt,
Mr. Jenkins,
Mr. Lee,
Mr. M'Cord,
Mr. Mitchell,
Mr. Moffet,
Mr. Morſe,
Mr. Prince,
Mr. Reeve,
Mr. Robins,
Mr. Savage,
Mr. Skidmore,
Mr. A. Smith,
Mr. T. Smith,
Mr. Speaker,
Mr. Teed,
Mr. Ten Broeck,
Mr. Jeſſe Thompſon,
Mr. Iſrael Thompſon,
Mr. Joel Thompſon,
Mr. Vandervoort,
Mr. Voſburgh,
Mr. Warner,
Mr. Weſt,
Mr. Wheeler,
Mr. Williamſon. 63

For the Affirmative.

Mr. Cornwell,	Mr. Metcalfe,	Mr. Pearſall,	Mr. Snell,
Mr. Hall,	Mr. Micheau,	Mr. Rice,	Mr. Storm,
Mr. Heermance,	Mr. Miller,	Mr. P. P. Schuyler,	Mr. Thomas,
Mr. Kane,	Mr. Ogden,	Mr. N. Smith,	Mr. Van Alſtyne.
Mr. M'Neal,			

Mr. Fairlie reported further progreſs. Thereupon,

Ordered, That the committee of the whole houſe be diſcharged from the further conſideration of the ſaid bill, and that the ſame be committed to a ſelect committee conſiſting of Mr. T. Barker, Mr. Henry and Mr. Ogden.

Mr. Maſon, from the committee of the whole houſe, on the bill entitled "*An act ſupplementary to the act entitled "An act concerning the ſalt ſprings in the county of Onondaga,*" reported, that the committee had gone thro' the bill and made amendments, which he was directed to report to the houſe, and he read the report in his place and delivered the ſame in at the table, where it was again read and agreed to by the houſe.

Ordered, That the amendments be engroſſed.

Mr. T. Barker, from the ſelect committee to whom was committed the bill entitled "*An act to erect part of the counties of Albany and Ulſter into a ſeparate county,*" reported, that the committee had gone through the bill and made amendments, which he was directed to report to the Houſe, and he read the report in his place and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

The bill entitled "*An act ſupplementary to the act entitled "An act concerning the ſalt ſprings in the county of Onondaga,*" with the engroſſed amendments, was read the third time.

Reſolved, That the bill do paſs.

Ordered, That Mr. Jenkins and Mr. Kane deliver the bill to the Hon. the Senate, and inform them that this houſe have paſſed the bill with the amendments therewith delivered.

The engroſſed bill entitled "*An act to erect part of the counties of Albany and Ulſter into a ſeparate county,*" was read the third time.

Reſolved, That the bill do paſs.

Ordered, That Mr. Jenkins and Mr. Kane deliver the bill to the Hon. the Senate, and requeſt their concurrence.

Whereas the Secretary of State of the United States has tranſmitted to his Excellency the Governor four hundred and twenty copies of the laws of the United States for the uſe of this State; and whereas it is neceſſary that they ſhould be ſo diſtributed as moſt effectually to diffuſe a knowledge of the laws of the United States among the citizens of this State:

Reſolved, (if the Hon. the Senate concur herein) That the ſaid laws be diſtributed in the following manner: That his Excellency the Governor retain one ſet; that he cauſe to be delivered to his Honor the Lieutenant-Governor one ſet; to the Chancellor, Chief Juſtice, and each of the Judges of the Supreme Court one ſet; to the Judge of Probates one ſet; to the Comptroller one ſet; to the Attorney and Surveyor Generals each one ſet; to the Clerks of the ſeveral towns, and Clerks of the reſpective counties in this State each one ſet, for the uſe of their reſpective towns and counties; to the Clerk of the Senate three ſets, to the Clerk of the Aſſembly four ſets, for the uſe of the two houſes of the Legiſlature; to the Speaker of the Aſſembly and Members of the Legiſlature each one ſet: Provided that no perſon who ſhall receive the ſaid laws by virtue of his office ſhall be entitled to receive them as a Member of the Legiſlature.

Ordered, That Mr. Kane and Mr. Lee deliver a copy of the preceding reſolution to the Hon. the Senate.

Reſolved, (if the Hon. the Senate concur herein) That the Secretary of this State be, and he is hereby directed forthwith to cauſe five hundred copies of the act entitled "*An act to amend the act entitled "An act to regulate highways,*" to be printed, to the end that they may be diſtributed among the towns in the reſpective counties made ſubject to the aforeſaid act as ſpeedily as may be.

Ordered, That Mr. Kane and Mr. Lee deliver a copy of the preceding reſolution to the Hon. the Senate.

Mr. Storm, from the committee of the whole houſe, on the bill entitled "*An act concerning conſtables and collectors,*" reported progreſs, and obtained leave to ſit again.
Mr. De la Montagnie, from the committee of the whole houſe, on the bill entitled *an act for the benefit of debtors and creditors,*" reported progreſs, and obtained leave ſit again.
Ordered, That the committee of the whole houſe be diſcharged from the further ſideration of the bill entitled "*An act for the ſale of certain lands in the Oneida reſer-on,*" and that the ſame be committed to a ſelect committee, conſiſting of Mr. lliamſon, Mr. Gettman and Mr. Howard.
Mr. Burr, moved for, and by unanimous conſent, obtained leave to bring in a bill tled "*An act concerning eſcheat and forfeiture,*" which was read the firſt time and ered a ſecond reading.
Mr. Benton, from the committee of the whole houſe, on the bill entitled "*An act conerate certain perſons from paying arrears of quit rents,*" reported, that after the bill had been read in the committee, Mr. Fairlie made a motion that the com-ee ſhould agree to a ſubſtitute to the ſaid bill; that the queſtion being put, ther the committee did agree to the ſubſtitute propoſed by the motion of Mr. lie, it was carried in the affirmative.
Mr. Benton further reported, that the committee had gone through the bill, made ndments and filled up the blanks, which he was directed to report to the Houſe, he read the report in his place and delivered the ſame in at the table, where it again read and agreed to by the Houſe.
rdered, That the bill be engroſſed.
hen the Houſe adjourned until ten o'clock to-morrow morning.

Wedneſday, ten o'clock, A. M. March 28th, 1798.

he engroſſed bill entitled "*An act to prevent the evils ariſing from the diſſolution of religious corporation within this State,*" was read the third time.
eſolved, That the bill do paſs.
rdered, That Mr. Kane and Mr. Lee deliver the bill to the Hon. the Senate, and eſt their concurrence.
he bill entitled "*An act concerning eſcheat and forfeiture,*" was read a ſecond time, committed to a committee of the whole Houſe.
r. Williamſon, from the committee to whom was referred the petition of Joſeph k and others, together with the report of the Surveyor-General thereon, reported, n the opinion of the committee the prayer of the petitioners ſhould be granted, as may be neceſſary to place them on the ſame footing as the other tenants un-eter Smith; and that the petition ſhould be referred to a committee of the e Houſe, when on the bill entitled "*An act for the relief of Joſeph Mabee and entitled to the right of pre-emption of lands in the Oneida reſervation:*" Which re-was agreed to by the Houſe. Thereupon,
dered, That the ſaid petition be committed to a committee of the whole Houſe, on the ſaid laſt mentioned bill.
. Williamſon, from the ſelect committee to whom was committed the bill enti-"*An act for the ſale of certain lands in the Oneida reſervation,*" reported, that the ittee had gone through the bill and made amendments, which he was directed ort to the Houſe, and he read the report in his place and delivered the ſame he table, where it was again read and agreed to by the Houſe.
lered, That the bill be engroſſed.
Clifft, from the ſelect committee to whom was committed the bill entitled *t for the relief of the children of Martin Heyſer,*" reported, that the committee had hrough the bill without amendment, which he was directed to report to the , and he read the report in his place and delivered the ſame in at the table, it was again read and agreed to by the Houſe.
ered, That Mr. Kane and Mr. Lee deliver the bill to the Hon. the Senate, and them that this Houſe have paſſed the bill without amendment.
Comſtock, from the ſelect committee, conſiſting of the Members attending in ouſe from the city and county of Albany, and the county of Saratoga, to was committed the bill entitled "*An act to amend the act entitled "An act mak-viſion to keep in repair the bridge over the Mohawk river, below the Cohoes falls,*"

reported, that the committee had gone through the bill and made amendments which he was directed to report to the Houſe, and he read the report in his place and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the amendments be engroſſed.

A meſſage from the Hon. the Senate, delivered by Mr. Thompſon and Mr. Tillotſon, with the bill therein mentioned, was read, that the Senate have concurred in the amendments of this Houſe to the bill entitled "*An act ſupplementary to the act entitled "An act concerning the Salt-Springs, in the county of Onondaga,*" and have amended the ſame accordingly.

Ordered, That Mr. Kane and Mr. Lee return the bill to the Hon. the Senate.

A copy of a reſolution of the Hon. the Senate, alſo delivered by Mr. Thompſon and Mr. Tillotſon, was read, and is in the words following, viz.

Reſolved, That the bill entitled "*An act repealing an act entitled "An act for granting and ſecuring to John Fitch the ſole right and advantage of making and employing the ſteam boat by him lately invented, and for other purpoſes,*" notwithſtanding the objections of the Hon. the Council of Reviſion to the ſame, become a law of this State.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Thompſon and Mr. Tillotſon, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "*An act for confirming a partition of certain lands therein mentioned,*" without amendment.

Ordered, That Mr. Lee and Mr. Maſon deliver the bill to the Hon. the Council of Reviſion.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Thompſon and Mr. Tillotſon, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "*An act for building a court-houſe and gaol in the county of Schoharie,*" to the amendments therewith delivered, the bill and amendments were read, and the amendments being read the ſecond time, were concurred in by the houſe, and the bill amended accordingly.

Ordered, That Mr. Mitchell and Mr. Moffet deliver the bill to the Hon. the Senate, and inform them that this houſe have concurred in their amendments to the bill and have amended the ſame accordingly.

The Hon. the Senate returned by Mr. Thompſon and Mr. Tillotſon the bill entitled "*An act for the relief of Anna Breadbake and Ann Ogilvie.*"

Ordered, That Mr. Lee and Mr. Maſon deliver the bill to the Hon. the Council of Reviſion.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Thompſon and Mr. Tillotſon, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "*An act ſupplementary to the act entitled "An act for erecting a public building in the county of Albany, and for other purpoſes therein mentioned,*" paſſed the 10th day of March, 1797, with the amendments therewith delivered; the bill and amendments were read, one of which amendments was to alter the title, that the altered title "*An act relative to the public building in the city of Albany and for erecting an arſenal in the city of New-York,*" and the amendments being read a ſecond time were concurred in by the houſe and the bill amended accordingly.

Ordered, That Mr. Mitchell and Mr. Moffet deliver the bill to the Hon. the Senate, and inform them that this houſe have concurred in their amendments to the bill and have amended the bill accordingly.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Thompſon and Mr. Tillotſon, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "*An act for the payment of certain officers of government and other contingent expenſes,*" with the amendments therewith delivered.

Ordered, That the conſideration of the ſaid amendments be poſtponed.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Thompſon and Mr. Tillotſon, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "*An act regulating the future meetings of the Legiſlature,*" to which they requeſt the concurrence of this houſe. The ſaid bill was read the firſt time and ordered a ſecond reading.

Mr. Jenkins, from the committee of the whole houſe on the bill entitled "*An*

mend the act entitled "*An act for the further ſale of the unappropriated lands of this State,*"
eported, that in proceeding in the ſaid bill, Mr. Speaker made a motion that the
ommittee ſhould agree to add a clauſe with a recital, at the end of the ſaid bill,
hich was read, and is in the words following, viz.

Whereas it has been ſuggeſted to the Legiſlature that John Thurman was previous
the revolution entitled to a tract of land in the county of Waſhington, by virtue
an Indian title and rights of location: Therefore,

Be it further enacted, That it ſhall and may be lawful to and for the commiſſioners
the land-office to examine into the claims of the ſaid John Thurman, and if upon
ch examination it ſhall appear that the ſaid claims are equitable and on principles
equity and good conſcience ought to be allowed, it ſhall and may be lawful for the
id commiſſioners to grant the ſame in like manner and on the ſame conditions as
her lands granted on equitable claims were granted before the expiration of the
me limited by former laws for that purpoſe.

The queſtion being put whether the committee did agree thereto, it paſſed in the
gative; the yeas and nays being taken on motion of Mr. Kane, ſeconded by Mr.
irlie, were as follows, viz.

For the Negative.

Mr. Barber,	Mr. Comſtock,	Mr. Holly,	Mr. Reeve,
Mr. J. Barker,	Mr. Cornwell,	Mr. Holt,	Mr. Rice,
Mr. T. Barker,	Mr. Deitz,	Mr. Howard,	Mr. Skidmore,
Mr. W. Barker,	Mr. De la Montagnie,	Mr. Hunt,	Mr. A. Smith,
Mr. Benton,	Mr. J. C. De Witt,	Mr. Lee,	Mr. J. Smith,
Mr. Bevier,	Mr. Dewey,	Mr. Maſon,	Mr. N. Smith,
Mr. Bowen,	Mr. Foot,	Mr. M'Cord,	Mr. Storm,
Mr. Bowman,	Mr. Fort,	Mr. M'Neal,	Mr. Teed,
Mr. Boyd,	Mr. Gettman,	Mr. Metcalfe,	Mr. Iſrael Thompſon,
Mr. Burt,	Mr. Gray,	Mr. Miller,	Mr. Jeſſe Thompſon,
Mr. Campbell,	Mr. Gregory,	Mr. Moffet,	Mr. Joel Thompſon,
Mr. Carman,	Mr. Hatfield,	Mr. Morſe,	Mr. Vandervoort,
Mr. Clark,	Mr. Hoag,	Mr. Ogden,	Mr. Van Alſtyne,
Mr. Clift,	Mr. J. Hogeboom,	Mr. Pearſall,	Mr. Voſburgh. 29
Mr. Coe,	Mr. K. Hogeboom,	Mr. Potter,	

For the Affirmative.

Mr. Adams,	Mr. Fonda,	Mr. Prince,	Mr. Thomas,
Mr. Bird,	Mr. Hall,	Mr. Pride,	Mr. Warner,
Mr. Burr,	Mr. Halſey,	Mr. Savage,	Mr. Wendell,
Mr. Burling,	Mr. Heermance,	Mr. P. I. Schuyler,	Mr. Weſt,
Mr. Clinton,	Mr. Horton,	Mr. Speaker,	Mr. Wheeler,
Mr. Coryell,	Mr. Kane,	Mr. Ten Broeck,	Mr. Wood. 26
Mr. Fairlie,	Mr. Mitchell,		

Mr. Jenkins reported further progreſs and obtained leave to ſit again.

Purſuant to the order of the day, the houſe proceeded to ballot for ſix perſons as a
mmittee on the part of this houſe, to meet a committee to be appointed by the
n. the Senate, at the office of the Secretary of this State, in purſuance of the
te entitled "*An act for regulating elections,*" and the ſtatute entitled "*An act for*
ing Repreſentatives for this State in the Houſe of Repreſentatives of the Congreſs of the
ed States of America;" the ballots being taken and counted, it appeared that
ry M'Neal, Daniel Maſon, Jeſſe Thompſon, William Pearſall, Phineas Bowman
Joſhua Dewey were duly elected. Thereupon,

Reſolved, That Joſhua Dewey, Henry M'Neal, Jeſſe Thompſon, William Pearſall,
neas Bowman and Daniel Maſon, be, and they hereby are appointed a committee
he part of this houſe to meet the committee to be appointed on the part of the
. the Senate, at the office of the Secretary of this State in purſuance of the ſtatute
led "*An act for regulating elections,*" and the ſtatute entitled "*An act for electing*
reſentatives for this State in the Houſe of Repreſentatives of the Congreſs of the United
s of America," for the purpoſe of canvaſſing the votes to be taken at the next
ion for Governor, Lieutenant-Governor, Senators of this State, and Repreſen-
es to repreſent this State in the Houſe of Repreſentatives in the Congreſs of the
ed States of America.

Ordered, That Mr. Mitchell and Mr. Moffet deliver a copy of the preceding
ution to the Hon. the Senate.

Ordered, That the committee of the whole houſe be diſcharged from the further conſideration of the bill entitled "*An act relative to the Goſpel and ſchool lots in the town of Sherburne, in the county of Herkemer*," and that the ſame be committed to a ſelect committee conſiſting of Mr. Bowman, Mr. Foot and Mr. Bird.

Mr. Bird, from the ſelect committee to whom was committed the bill entitled "*An act to eſtabliſh a turnpike corporation for improving the road from the ſprings in Lebanon to the city of Albany*," reported, that the committee had gone through the bill, made amendments, and filled up the blanks, which he was directed to report to the houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the houſe.

Ordered, That the bill be engroſſed.

Mr. Bird, from the joint committee of both houſes to whom was referred the meſſage of his Excellency the Governor of the 24th inſtant, reported, that the committee had prepared a bill relative thereto, and directed him to move for leave to bring in the ſame; leave being given accordingly, Mr. Bird brought in the ſaid bill, entitled "*An act to preſerve and ſupport the juriſdiction of this State*," which was read the firſt time and ordered a ſecond reading.

By unanimous conſent the ſaid bill was read a ſecond time and committed to a committee of the whole houſe.

A meſſage from the Hon. the Senate, delivered by Mr. Tillotſon and Mr. Vail, with the bill therein mentioned, was read, that the Senate have concurred in the amendments of this Houſe to the bill entitled "*An act to amend the act entitled "An act making proviſion to keep in repair the bridge over the Mohawk river, below the Cohoes falls*," and have amended the bill accordingly.

Ordered, That Mr. Mitchell and Mr. Moffet return the bill to the Hon. the Senate.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Tillotſon and Mr. Vail, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "*An act to incorporate the Stockholders of the New-York Inſurance Company*," with the amendments therewith delivered; the bill and amendments were read, and the amendments being read a ſecond time, were concurred in by the Houſe, and the bill amended accordingly.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Tillotſon and Mr. Vail, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "*An act to provide againſt infectious and peſtilential diſeaſes*," with the amendments therewith delivered; the bill and amendments were read, and the amendments being read a ſecond time, were concurred in by the Houſe, and the bill amended accordingly.

Ordered, That Mr. Mitchell and Mr. Moffet deliver the two laſt mentioned bills to the Hon. the Senate, and inform them that this Houſe have concurred in their amendments to the ſaid bills, and that the bills are amended accordingly.

Four ſeveral meſſages from the Hon. the Senate, alſo delivered by Mr. Tillotſon and Mr. Vail, with the bills therein reſpectively mentioned, were read, that the Senate have paſſed the bill entitled "*An act for granting to Alexander I. Turner and Adonijah Skinner, the excluſive right of running a ſtage-waggon on the route therein mentioned*;" the bill entitled "*An act for raiſing money to finiſh and repair the court-houſe and gaol in Queen's county*;" the bill entitled "*An act to raiſe money for building a court-houſe and gaol in Delaware county, and for other purpoſes therein mentioned*," and the bill entitled "*An act to authorize the raiſing a ſum of money for making certain neceſſary accommodations for the gaol and certain repairs for the court-houſe in the county of Renſſelaer*," without amendment.

Ordered, That Mr. Lee and Mr. Maſon deliver the four laſt mentioned bills to the Hon. the Council of Reviſion.

Mr. Bird, from the committee of the whole houſe, on the bill entitled "*An act concerning Conſtables and Collectors*," reported progreſs, and obtained leave to ſit again.

Then the Houſe adjourned until nine o'clock to-morrow morning.

Thurſday, nine o'clock, A. M. March 29th, 1798.

The engroſſed bill entitled "*An act to exonerate certain perſons from paying arrears of quit rents*," was read the third time.

Reſolved, That the bill do paſs.

The engroſſed bill entitled "*An act for the ſale of certain lands in the Oneida reſervation,*" was read the third time.

Reſolved, That the bill do paſs.

Ordered, That Mr. M'Cord and Mr. M'Farlan deliver the two laſt mentioned bills to the Hon. the Senate, and requeſt their concurrence.

The bill entitled "*An act regulating the future meetings of the Legiſlature,*" was read a ſecond time, and committed to a committee of the whole Houſe.

A petition of Owen Bennit, praying a grant of bounty lands for his ſervices as a ſoldier in Col. Marinus Willett's regiment during the late war, was read and committed to a committee of the whole Houſe, when on the bill entitled "*An act for aſcertaining the perſons entitled to land on account of military ſervices.*"

Mr. Mitchell, from the ſelect committee to whom was committed the bill entitled "*An act to enable certain perſons therein named to purchaſe and hold real eſtates within this State,*" reported, that the committee had gone through the bill and filled up the blanks, which he was directed to report to the houſe, and he read the report in his place and delivered the ſame in at the table, where it was again read: Thereupon,

Ordered, That the conſideration of the ſaid report be poſtponed until to-morrow.

A meſſage from the Hon. the Senate, delivered by Mr. Vail and Mr. Van Schoonhoven, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "*An act to regulate the returning and impannelling of Jurors,*" with the amendments therewith delivered.

Ordered, That the conſideration of the ſaid amendments be poſtponed.

Two ſeveral meſſages from the Hon. the Senate, alſo delivered by Mr. Vail and Mr. Van Schoonhoven, with the bills therein reſpectively mentioned, were read, that the Senate have paſſed the bill entitled "*An act concerning certain ſtreets, wharves and piers, and the alms-houſe and bridewell, in the city of New-York,*" and the bill entitled "*An act further to amend the laws relative to lock navigation within this State, and for other purpoſes therein mentioned,*" to which they requeſt the concurrence of this Houſe.

The ſaid bills were ſeverally read the firſt time and ordered a ſecond reading.

The Houſe proceeded to the conſideration of the amendments of the Hon. the Senate, to the bill entitled "*An act for the payment of certain officers of government, and other contingent expenſes.*" The bill and amendments were read; one of the ſaid amendments was to add a clauſe to the ſaid bill, which was read, and is in the words following, viz.

And be it further enacted, That George P. Weiſſenfels, of the city of New-York, is hereby releaſed from all the right and intereſt of the people of this State, in the judgment heretofore recovered againſt him by John De Witt, in the Supreme Court of this State. Provided, however, that nothing herein contained, ſhall be deemed to affect or impair the right and intereſt of the ſaid John De Witt, in the reſidue of the ſame judgment; but that the ſum due to the people of this State on the ſaid judgment, ſhall be deemed and taken as ſo much paid on the ſaid judgment.

Mr. Speaker put the queſtion, whether the Houſe did concur with the Hon. the Senate in their ſaid amendment, and it was carried in the affirmative. The yeas and nays being taken on motion of Mr. Bird, ſeconded by Mr. Bevier, were as follows, viz.

For the Affirmative.

Mr. Adams,
Mr. Arcularius,
Mr. Baldwin,
Mr. Barber,
Mr. J. Barker,
Mr. T. Barker,
Mr. W. Barker,
Mr. Bowen,
Mr. Boyd,
Mr. Brown,
Mr. Bruyn,
Mr. Burr,
Mr. Burling,
Mr. Burt,
Mr. Campbell,
Mr. Carman,
Mr. Clark,
Mr. Cliffe,
Mr. Coe,
Mr. Cornwell,
Mr. Coryell,
Mr. Deitz,
Mr. De la Montagnie,
Mr. J. C. De Witt,
Mr. Dewey,
Mr. Fairlie,
Mr. Foot,
Mr. Gettman,
Mr. Gray,
Mr. Hall,
Mr. Halſey,
Mr. Hatfield,
Mr. Heermance,
Mr. J. Hogeboom,
Mr. K. Hogeboom,
Mr. Holly,
Mr. Horton,
Mr. Howard,
Mr. Hunt,
Mr. Jenkins,
Mr. Kane,
Mr. Lee,
Mr. Maſon,
Mr. M'Cord,
Mr. M'Farlan,
Mr. M'Neal,
Mr. Metcalfe,
Mr. Micheau,
Mr. Miller,
Mr. Mitchell,
Mr. Ogden,
Mr. Pearſall,
Mr. Pride,
Mr. Reeve,
Mr. Rice,
Mr. Robins,
Mr. Savage,
Mr. P. P. Schuyler,
Mr. Skidmore,
Mr. A. Smith,
Mr. N. Smith,
Mr. T. Smith,
Mr. Snell,
Mr. Storm,
Mr. Teed,
Mr. Ten Broeck,
Mr. Thomas,
Mr. Iſrael Thompſon,
Mr. Vandervoort,
Mr. Van Alſtyne,
Mr. Voſburgh,
Mr. Warner,
Mr. Wendell,
Mr. Weſt,
Mr. Wheeler,
Mr. Williamſon,
Mr. Wood.

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For the Negative.

Mr. Benton,	Mr. Comſtock,	Mr. Fort,	Mr. P. I. Schuyler,
Mr. Bird,	Mr. J. A. De Witt,	Mr. Gregory,	Mr. J. Smith,
Mr. Bevier,	Mr. Fonda,	Mr. Moſes,	Mr. Jeſſe Thompſon.

Another of the ſaid amendments was to add a clauſe at the end of the ſaid bill, which was read, and is in the words following, viz.

And be it further enacted, That the Comptroller ſhall audit the accounts of the Surveyor-General, and Heremanus P. Schuyler, for ſervices performed by them under the act entitled "*An act to authorize the Surveyor-General to aſcertain the eaſtern boundary line of the lands ceded by this State to the Commonwealth of Maſſachuſetts, and for other purpoſes therein mentioned,*" and to allow the ſame at and after the rate of three dollars per day, excluſive of expenſes, and thereupon to draw his warrant on the Treaſurer for the amount of ſuch compenſation and all reaſonable expenſes therein.

Mr. Speaker put the queſtion whether the houſe did concur with the Hon. the Senate in their ſaid amendment, and it paſſed in the negative. Thereupon,

Reſolved, That this houſe do concur with the Hon. the Senate in their amendments deſignated for that purpoſe in the margin of the ſaid amendments, and do not concur in their laſt amendment to the ſaid bill.

Ordered, That Mr. M'Farlan, and M'Neal deliver the bill, amendments, and a copy of the preceding reſolution to the Hon. the Senate.

Mr. Jenkins, from the committee of the whole houſe on the bill entitled "*An act to enable aliens to purchaſe and hold real eſtates within this State under certain reſtrictions,*" reported the proceedings of the committee to have been as follows, viz. That after the ſaid bill had been read in the committee, Mr. Comſtock made a motion that the bill be rejected, that debates were had thereon, and the queſtion being put whether the committee did agree to the motion of Mr. Comſtock, it paſſed in the negative; the yeas and nays being taken on motion of Mr. Comſtock, ſeconded by Mr. Mitchell, were as follows, viz.

For the Negative.

Mr. Adams,	Mr. Fairlie,	Mr. Hunt,	Mr. Robins,	
Mr. T. Barker,	Mr. Fonda,	Mr. Kane,	Mr. P. I. Schuyler,	
Mr. Benton,	Mr. Foot,	Mr. Maſon,	Mr. P. P. Schuyler,	
Mr. Bird,	Mr. Fort,	Mr. M'Farlan,	Mr. J. Smith,	
Mr. Bowman,	Mr. Getman,	Mr. M'Neal,	Mr. N. Smith,	
Mr. Brown,	Mr. Hall,	Mr. Metcalfe,	Mr. Speaker,	
Mr. Burr,	Mr. Halſey,	Mr. Micheau,	Mr. Thomas,	
Mr. Campbell,	Mr. Hatfield,	Mr. Miller,	Mr. Joel Thompſon,	
Mr. Carman,	Mr. Heermance,	Mr. Mitchell,	Mr. Vandervoort,	
Mr. Cliffe,	Mr. Henry,	Mr. Ogden,	Mr. Warner,	
Mr. Clinton,	Mr. K. Hogeboom,	Mr. Pearſall,	Mr. Wendell,	
Mr. Cornwell,	Mr. Holly,	Mr. Potter,	Mr. Weſt,	
Mr. Coryell,	Mr. Holt,	Mr. Prince,	Mr. Williamſon,	
Mr. Deitz,	Mr. Horton,	Mr. Reeve,	Mr. Wood.	49
Mr. Dewey,	Mr. Howard,	Mr. Rice,		

For the Affirmative.

Mr. Arcularius,	Mr. Burt,	Mr. Lee,	Mr. Snell,	
Mr. Baldwin,	Mr. Clark,	Mr. M'Cord,	Mr. Storm,	
Mr. Basbet,	Mr. Coe,	Mr. Moffet,	Mr. Tood,	
Mr. J. Barker,	Mr. Comſtock,	Mr. Pride,	Mr. Ten Broeck,	
Mr. W. Barker,	Mr. De la Montagnie,	Mr. Savage,	Mr. Jeſſe Thompſon,	
Mr. Bowen,	Mr. Gray,	Mr. Skidmore,	Mr. Iſrael Thompſon,	
Mr. Boyd,	Mr. Gregory,	Mr. A. Smith,	Mr. Vosburgh,	
Mr. Burling,	Mr. J. Hogeboom,	Mr. T. Smith,	Mr. Wheeler.	32

That in proceeding further, Mr. Wheeler made a motion that the committee ſhould agree to add a clauſe to the ſaid bill, which was read, and is in the words following, viz.

And be it further enacted, That on the lands purchaſed and held by virtue of this act, there ſhall be an actual ſettlement made for every five hundred acres within three years from the actual purchaſe of the ſame, and on failure of ſuch ſettlement, the unſettled lands ſhall revert to the people of this State, any thing in this act to the contrary notwithſtanding.

The queſtion being put whether the committee did agree thereto, it paſſed in the negative; the yeas and nays being taken on motion of Mr. Comſtock, ſeconded by Mr. Kane, were as follows, viz.

For the Negative.

Mr. Adams,	Mr. De la Montagnie,	Mr. M'Neal,	Mr. N. Smith,
Mr. J. Barker,	Mr. Dewey,	Mr. Metcalfe,	Mr. T. Smith,
Mr. T. Barker,	Mr. Fairlie,	Mr. Micheau,	Mr Snell,
Mr. Benton,	Mr. Gray,	Mr. Miller,	Mr. Storm,
Mr. Bird,	Mr. Gregory,	Mr. Ogden,	Mr. Speaker,
Mr. Brower,	Mr. Hall,	Mr. Peasall,	Mr. Thomas,
Mr. Bruyn,	Mr. Halsey,	Mr. Potter,	Mr. Israel Thompson,
Mr. Burr,	Mr. Hatfield,	Mr. Prince,	Mr. Jesse Thompson,
Mr. Burling,	Mr. Heermance,	Mr. Pride,	Mr. Joel Thompson,
Mr. Campbell,	Mr. Henry,	Mr. Reeve,	Mr. Vandervoort,
Mr. Carmen,	Mr. Holt,	Mr. Rice,	Mr. Van Alstyne,
Mr. Clift,	Mr. Horton,	Mr. Robins,	Mr. Warner,
Mr. Clinton,	Mr. Howard,	Mr. Savage,	Mr. Wendell,
Mr. Coe,	Mr. Hunt,	Mr. P. I. Schuyler,	Mr. Weft,
Mr. Cornwell,	Mr. Kane,	Mr. P. P. Schuyler,	Mr. Williamson,
Mr. Coryell,	Mr. Mason,	Mr. J. Smith,	Mr. Wood. 66
Mr. Deitz,	Mr. M'Cord.		

For the Affirmative.

Mr. Arcularius,	Mr. Clark,	Mr. Moffet,	Mr. Ten Broeck,
Mr. Baldwin,	Mr. Comstock,	Mr. Shidmore,	Mr. Vosburgh,
Mr. Barber,	Mr. Foot,	Mr. A. Smith,	Mr. Wheeler, 15
Mr. Bowen,	Mr. J. Hegeboom,	Mr. Teed,	

Mr. Jenkins further reported, that the committee had gone through the bill without amendment, which he was directed to report to the House, and he read the report in his place and delivered the same in at the table, where it was again read and agreed to by the house.

Ordered, That Mr. M'Neal and Mr. Metcalfe deliver the bill to the Hon. the Senate, and inform them that this house have passed the bill without amendment.

A copy of a resolution of the Hon. the Senate, delivered by Mr. Van Schoonhoven and Mr. Van Vechten, was read, and is in the words following, viz.

Resolved, (if the Hon. the Assembly concur herein) That the Printer to this State be directed to publish for the Agricultural Society of this State, five hundred copies of such of the communications made to the Society, as they may deem most likely to promote the interest of agriculture, and that the said Printer deliver one of the said copies to each person who shall be entitled to receive the laws and journals of this State, and that the Legislature will provide for the paying the expense of printing the same.

Resolved, That this House do concur with the Hon. the Senate in their preceding resolution.

Ordered, That Mr. M'Neal and Mr. Metcalfe deliver a copy of the preceding resolution of concurrence to the Hon. the Senate.

A copy of a resolution of the Hon. the Senate, also delivered by Mr. Van Schoonhoven and Mr. Van Vechten, was read, that the Senate do not concur with this House in their resolution as entered on the journals of the 24th inst. relative to the estate of Charles I. Brannon, deceased.

A copy of a resolution of the Hon. the Senate, also delivered by Mr. Van Schoonhoven and Mr. Van Vechten, was read, that the Senate do not concur with this House in their resolution as entered on the journals on the 26th inst. relative to the estate of Albrecht Behrens, late of the city of New-York, deceased.

A copy of a resolution of the Hon. the Senate, also delivered by Mr. Van Schoonhoven and Mr. Van Vechten, was read, that the Senate do concur with this House in their resolution as entered on the journals of the 27th inst. relative to the printing 500 copies of the act to regulate highways.

The Hon. the Senate returned by Mr. Van Schoonhoven and Mr. Van Vechten, the bill entitled "*An act to incorporate the Stockholders of the New-York Insurance Company;*" the bill entitled "*An act relative to the public building in the city of Albany and for erecting an arsenal in the city of New-York;*" the bill entitled "*An act to provide against infectious and pestilential diseases,*" and the bill entitled "*An act for building a court-house and gaol in the county of Schoharie.*"

Ordered, That Mr. Lee and Mr. Mason deliver the four last mentioned bills to the Hon. the Council of Revision.

A message from the Hon. the Senate, also delivered by Mr. Van Schoonhoven and Mr. Van Vechten, with the bill therein mentioned, was read, that the Senate do recede from their amendment to the bill entitled "*An act for the payment of certain offi-*

cers of government and other contingent expenſes," which was not concurred in by this Houſe.

Ordered, That Mr. Metcalfe and Mr. Micheau deliver the bill to the Hon. the Senate, and inform them that this Houſe have amended the bill, purſuant to the amendments of the Hon. the Senate, concurred in by this Houſe.

Mr. Rice, from the committee of the whole Houſe, on the bill entitled "*An act concerning Conſtables and Collectors,*" reported, that after the ſaid bill had been read in the committee, Mr. Adams made a motion, that the committee ſhould agree to a ſubſtitute for the ſaid bill, which was alſo read, and the queſtion being put, whether the Houſe did agree to the ſubſtitute propoſed by the motion of Mr. Adams, it was carried in the affirmative.

Mr. Rice reported further progreſs, and obtained leave to ſit again.

Mr. Burling, from the committee of the whole Houſe, on the bill entitled "*An act to amend an act entitled "An act for the relief of John B. Coles, and to provide for laying out new roads,*" reported, that after the ſaid bill had been read in the committee, Mr. A. Smith made a motion, that the bill be rejected; that debates were had thereon, and the queſtion being put, whether the committee did agree to the motion of Mr. A. Smith, it paſſed in the negative. The yeas and nays being taken on motion of Mr. A. Smith, ſeconded by Mr. J. Barker, were as follows, viz.

For the Negative.

Mr. Arcularius,	Mr. Gettman,	Mr. Moſſet,	Mr. Speaker,
Mr. Bruyn,	Mr. Hatfield,	Mr. Ogden,	Mr. Thomas,
Mr. Burr,	Mr. K. Hogeboom,	Mr. Prince,	Mr. Jeſſe Thompſon,
Mr. Clinton,	Mr. Holt,	Mr. Pride,	Mr. Joel Thompſon,
Mr. Deitz,	Mr. Howard,	Mr. Rice,	Mr. Vandervoort,
Mr. De la Montagnie,	Mr. Kane,	Mr. Robins,	Mr. Warner,
Mr. Fairlie,	Mr. Maſon,	Mr. P. P. Schuyler,	Mr. Weſt,
Mr. Fonda,	Mr. M'Neal,	Mr. Snell,	Mr. Wheeler,
Mr. Foot,	Mr. Micheau,	Mr. Storm,	Mr. Wood.

For the Affirmative.

Mr. Adams,	Mr. Coe,	Mr. Jenkins,	Mr. J. Smith,
Mr. Baldwin,	Mr. Dewey,	Mr. M'Cord,	Mr. T. Smith,
Mr. Barber,	Mr. Fort,	Mr. Potter,	Mr. Teed,
Mr. J. Barker,	Mr. Gray,	Mr. Reeve,	Mr. Ten Broeck,
Mr. W. Barker,	Mr. Gregory,	Mr. Savage,	Mr. Iſrael Thompſon,
Mr. Bowen,	Mr. Heermance,	Mr. Skidmore,	Mr. Van Alſtyne,
Mr. Campbell,	Mr. J. Hogeboom,	Mr. A. Smith,	Mr. Voſburgh.
Mr. Clifft,			

Mr. Burling reported further progreſs. Thereupon,

Ordered, That the committee of the whole houſe be diſcharged from the further conſideration of the ſaid bill, and that the ſame be committed to a ſelect committee conſiſting of Mr. A. Smith, Mr. Burr and Mr. Clifft.

Then the Houſe adjourned until ten o'clock to-morrow morning.

Friday, ten o'clock, A. M. March 30th, 1798.

Mr. J. Hogeboom made a motion that the following words, being part of the minutes of yeſterday, ſhould be expunged therefrom, viz.

Ordered, That Mr. M'Neal and Mr. Metcalfe deliver the bill to the Hon. the Senate, and inform them that this houſe have paſſed the bill without amendment.

Mr. Speaker put the queſtion whether the houſe did agree to expunge the ſaid words, and it paſſed in the negative; the yeas and nays being taken on motion of Mr. Comſtock, ſeconded by Mr. J. Hogeboom, were as follows, viz.

For the Negative.

Mr. Adams,	Mr. Fort,	Mr. Metcalfe,	Mr. P. P. Schuyler,
Mr. T. Barker,	Mr. Gettman,	Mr. Micheau,	Mr. J. Smith,
Mr. Benton,	Mr. Gray,	Mr. Miller,	Mr. N. Smith,
Mr. Brown,	Mr. Hall,	Mr. Mitchell,	Mr. T. Smith,
Mr. Bruyn,	Mr. Halſey,	Mr. Moſſet,	Mr. Snell,
Mr. Burr,	Mr. Heermance,	Mr. Morſe,	Mr. Thomas,
Mr. Campbell,	Mr. Henry,	Mr. Ogden,	Mr. Joel Thompſon,
Mr. Carman,	Mr. Hoag,	Mr. Pearſall,	Mr. Vandervoort,
Mr. Clifft,	Mr. Holt,	Mr. Potter,	Mr. Van Alſtyne,
Mr. Clinton,	Mr. Horton,	Mr. Pride,	Mr. Warner,
Mr. Cornwell,	Mr. Howard,	Mr. Reeve,	Mr. Wendell,
Mr. Coryell,	Mr. Hunt,	Mr. Rice,	Mr. Weſt,
Mr. Deitz,	Mr. Kane,	Mr. Robins,	Mr. Wheeler,
Mr. Dewey,	Mr. Maſon,	Mr. Savage,	Mr. Williamſon,
Mr. Fairlie,	Mr. M'Farlan,	Mr. P. I. Schuyler,	Mr. Wood.
Mr. Foot,	Mr. M'Neal,		

For the Affirmative.

Mr. Arcularius,	Mr. Burling,	Mr. Hatfield,	Mr. A. Smith,
Mr. Baldwin,	Mr. Burt,	Mr. J. Hogeboom,	Mr. Storm,
Mr. Barber,	Mr. Clark,	Mr. K. Hogeboom,	Mr. Teed,
Mr. J. Barker,	Mr. Coe,	Mr. Holly,	Mr. Ten Broeck,
Mr. W. Barker,	Mr. Comſtock,	Mr. Jenkins,	Mr. Jeſſe Thompſon,
Mr. Bevier,	Mr. J. A. De Witt,	Mr. M'Cord,	Mr. Iſrael Thompſon,
Mr. Bowen,	Mr. J. C. De Witt,	Mr. Skidmore,	Mr. Voſburgh. 29
Mr. Boyd,			

The engroſſed bill entitled "*An act to eſtabliſh a turnpike corporation for improving e road from the ſprings in Lebanon to the city of Albany,*" was read the third time.

Reſolved, That the bill do paſs.

Ordered, That Mr. Metcalfe and Mr. Micheau deliver the bill to the Hon. the nate, and requeſt their concurrence.

The bill entitled "*An act further to amend the laws relative to lock navigation thin this State and for other purpoſes therein mentioned,*" and the bill entitled "*An concerning certain ſtreets, wharves and piers, and the alms-houſe and bridewell in the city New-York,*" were ſeverally read a ſecond time and committed to a committee of the hole houſe.

Two ſeveral meſſages from the Hon. the Senate, delivered by Mr. Van Vechten d Mr. Watſon, with the bills therein reſpectively mentioned, were read, that the nate have paſſed the bill entitled "*An act relative to judgments and bail in the Su-eme Court of Judicature of this State,*" and the bill entitled "*An act to amend the act itled "An act for the relief of Nathaniel Mallory and others,*" to which they requeſt the ncurrence of this houſe; the ſaid bills were ſeverally read the firſt time and ordered ſecond reading.

A copy of a reſolution of the Hon. the Senate, alſo delivered by Mr. Van Vechten d Mr. Watſon, was read, that the Senate do concur with this houſe in their reſolu-n as entered on the journals of this houſe on the 27th inſtant, relative to the diſ-bution of the laws of the United States.

Ordered, That Mr. Morſe and Mr. Ogden deliver a copy of the ſaid reſolution to s Excellency the Governor.

A copy of a reſolution of the Hon. the Senate, alſo delivered by Mr. Van Vechten d Mr. Watſon; was read, and is in the words following, viz.

Reſolved, That Samuel Haight, James Gordon, James G. Graham, Selah Strong, nthony Ten Eyck and Abraham Arndt, be, and they hereby are appointed a com-ittee on the part of the Senate, to meet the committee appointed on the part of the on. the Aſſembly, at the office of the Secretary of this State, in purſuance of the ſtatute titled "*An act for regulating elections,*" and the ſtatute entitled "*An act for electing epreſentatives for this State in the Houſe of Repreſentatives of the Congreſs of the United ates of America,*" for the purpoſe of canvaſſing the votes to be taken at the next ection for Governor, Lieutenant-Governor, Senators of this State, and Repreſen-tives to repreſent this State in the Houſe of Repreſentatives in the Congreſs of the nited States of America.

A copy of a reſolution of the Hon. the Senate, alſo delivercd by Mr. Van Vechten d Mr. Watſon, was read, and is in the words following, viz.

Whereas Thomas M'Gee hath by his petition repreſented to the Legiſlature that hath purchaſed a farm ſituate in the county of Waſhington, which was ſold by e commiſſioners of forfeitures for the Eaſtern Diſtrict of this State, and that it has nce been diſcovered that the ſaid premiſes were mortgaged before the late war to ne Ennis Graham, and that the ſaid mortgage hath been aſſigned to Gerrit H. Van agenen, who has lately filed his bill in the Hon. Court of Chancery to foreclоſe e equity of redemption in and to the mortgaged premiſes. Whereupon,

Reſolved, (if the Hon. the Aſſembly concur herein) That the Attorney-General be, d he is hereby directed to defend the ſuit ſo as aforeſaid inſtituted on the ſaid mort-ge, and to report the iſſue thereof to the Legiſlature at their next meeting, in order at further Legiſlative proviſion may be made in the premiſes.

Ordered, That the conſideration of the ſaid reſolution be poſtponed.

Ordered, That the committee of the whole Houſe be diſcharged from the further nſideration of the bill entitled "*An act for the relief of Joſeph Mabee and others,* enti-

tled to the right of pre-emption of lands in the Oneida reſervation," and that the ſame committed to a ſelect committee, conſiſting of Mr. M'Neal, Mr. Burr and Mr. Dun ton.

Reſolved, That every bill ſhall receive three ſeveral readings previous to its being paſſed; and the ſecond and third reading ſhall be on different days, and the third reading ſhall be on a day ſubſequent to that in which it has paſſed in a committee of the whole Houſe, unleſs the Houſe unanimouſly direct otherwiſe.

Ordered, That the committee of the whole houſe be diſcharged from the further conſideration of the bill entitled "*An act for the benefit of debtors and creditors,*" and that the ſame be committed to a ſelect committee, conſiſting of Mr. Metcalfe, Mr. Maſon, Mr. Kane, Mr. Jenkins and Mr. Burr.

Ordered, That the committee of the whole houſe be diſcharged from the further conſideration of the bill entitled "*An act to amend the act entitled "An act for the further ſale of the unappropriated lands of this State, and for other purpoſes therein mentioned,*" and that the ſame be referred to a ſelect committee, conſiſting of Mr. Metcalfe, Mr. Savage and Mr. Iſrael Thompſon.

Mr. A. Smith, from the ſelect committee to whom was committed the bill entitled "*An act to amend an act entitled "An act for the relief of John B. Coles, and to provide for the laying out new roads,*" reported, that the committee had gone through the bill and made amendments, which he was directed to report to the Houſe, and he read the report in his place and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the amendments be engroſſed.

The Hon. the Senate returned by Mr. White and Mr. Addiſon, the bill entitled "*An act for the payment of certain officers of government, and other contingent expenſes.*"

Ordered, That Mr. Thomas and Mr. Clifft deliver the bill to the Hon. the Council of Reviſion.

A meſſage from the Hon. the Senate, alſo delivered by Mr. White and Mr. Addiſon, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "*An act for the relief of the purchaſers of certain lands in the fourth allotment of the Royal Grant,*" with the amendments therewith delivered; the bill and amendments were read; one of which amendments was to alter the title, that the altered title is, "*An act for the relief of the purchaſers of certain lands in the fourth allotment of the Royal Grant, and for other purpoſes,*" and the amendments being read a ſecond time were concurred in by the Houſe, and the bill amended accordingly.

Ordered, That Mr. Moſſet and Mr. Morſe deliver the bill to the Hon. the Senate and inform them that this Houſe have concurred in their amendments to the bill and have amended the ſame accordingly.

Mr. Metcalfe, from the ſelect committee to whom was committed the bill entitled "*An act for the benefit of debtors and creditors,*" reported, that the committee had gone through the bill and made amendments, which he was directed to report to the Houſe, and he read the report in his place and delivered the ſame in at the table where it was again read and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

Mr. Metcalfe, from the ſelect committee to whom was committed the bill entitled "*An act to amend the act entitled "An act for the further ſale of the unappropriated lands of this State, and for other purpoſes therein mentioned,*" reported, that the committee had gone through the bill and made amendments, which he was directed to report to the Houſe, and he read the report in his place and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

Mr. J. Hogeboom, from the committee of the whole houſe, on the bill entitled "*An act concerning writs of certiorari, and to repeal the ninth ſection of the act entitled "An act concerning Courts of Oyer and Terminer and Gaol Delivery,*" reported, that the committee had gone through the bill without amendment, which he was directed to report to the Houſe, and he read the report in his place and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

The Houſe proceeded to the conſideration of the amendments of the Hon.

hate to the bill entitled "*An act to regulate the returning and impannelling of Jurors the trial of Issues.*" The bill and amendments were read; one of the said amendents was to reduce the compensation to be allowed to jurors, from thirty-seven d an half cents to twenty-five cents, for each cause he shall be sworn to try.

Mr. Speaker put the question, whether the House did agree to the said amendent, and it passed in the negative. The yeas and nays being taken on motion of r. Comstock, seconded by Mr. Bowen, were as follows, viz.

For the Negative.

Mr. Adams,	Mr. Carman,	Mr. Holt,	Mr. N. Smith,
Mr. Baldwin,	Mr. Clift,	Mr. Horton,	Mr. T. Smith,
Mr. Barber,	Mr. Clinton,	Mr. Howard,	Mr. Snell,
Mr. J. Barker,	Mr. Comstock,	Mr. Mason,	Mr. Teed,
Mr. T. Barker,	Mr. Deitz,	Mr. M'Cord,	Mr. Ten Broeck,
Mr. W. Barker,	Mr. De la Montagnie,	Mr. M'Neal,	Mr. Israel Thompson,
Mr. Beaton,	Mr. J. C. De Witt,	Mr. Moffet,	Mr. Joel Thompson,
Mr. Bevier,	Mr. Dewey,	Mr. Pride,	Mr. Vandervoort,
Mr. Bowen,	Mr. Fort,	Mr. Reeve,	Mr. Van Alstyne,
Mr. Boyd,	Mr. Gray,	Mr. Rice,	Mr. Vosburgh,
Mr. Brown,	Mr. Gregory,	Mr. Savage,	Mr. Warner,
Mr. Bruyn,	Mr. Hall,	Mr. P. I. Schuyler,	Mr. West,
Mr. Burr,	Mr. Hatfield,	Mr. A. Smith,	Mr. Wheeler,
Mr. Burt,	Mr. Hoag,	Mr. J. Smith,	Mr. Wood. 57
Mr. Campbell,			

For the Affirmative.

Mr. Arcularins,	Mr. Gettman,	Mr. Micheau,	Mr. Prince,
Mr. Burling,	Mr. Halsey,	Mr. Miller,	Mr. Robins,
Mr. Clark,	Mr. J. Hogeboom,	Mr. Mitchell,	Mr. Skidmore,
Mr. Coe,	Mr. K. Hogeboom,	Mr. Ogden,	Mr. Storm,
Mr. Cornwell,	Mr. Hunt,	Mr. Pearsall,	Mr. Jesse Thompson,
Mr. J. A. De Witt,	Mr. M'Farlan	Mr. Potter,	Mr. Wendell. 26
Mr. Fairlie,	Mr. Metcalfe,		

Thereupon, *Resolved*, That this House do concur with the Hon. the Senate in such their amendments to the said bill as are for that purpose designated in the margin the said amendments, and do not concur in their other amendments to the said ill.

Ordered, That Mr. Moffet and Mr. Morse deliver the bill, amendments, and a opy of the preceding resolution, to the Hon. the Senate.

Ordered, That the committee of the whole House be discharged from the further onsideration of the bill entitled "*An act providing for the registry of deeds in certain unties therein mentioned*," and that the same be committed to a select committee conling of Mr. Williamson, Mr. Hall, Mr. Coryell, Mr. Bowen and Mr. Dewey.

The Attorney-General, to whom was referred the petition of Elizabeth Young, reorted, That it appears by documents marked A. herewith submitted, that the forited estate of Frederick Young sold for the sum of 6,150l. By the second section f the act entitled "An act for the payment of the salaries of certain officers of govrnment and other contingent expenses," passed the 27th March, 1794, four hundred nd ninety pounds, with interest on part thereof, was directed to be refunded to John acob Beekman, there having been a mistake in selling a moiety of a certain lot of nd supposed to have been forfeited to the people of this State by the conviction of he said Frederick Young; that no positive proof has been offered to ascertain the eath of the said Frederick Young, but that the petitioner, in the various documents dduced by her, is described as *his* widow and relict; this fact therefore is strongly o be inferred; by the instrument of writing marked B. Catharine Young appears, on he 14th day of March inst. to have been of the age of seventy-three years and ten onths; by the affidavit marked C. it appears that the annual value of the forfeited state of the said Frederick Young, in the possession of John Winn and Jacob Mathias, is one hundred and thirty pounds.

On the foregoing statement the Attorney-General reports, that the value of an anuity of forty-three pounds, six shillings and eight pence, on a single life of seventyhree years and ten months, calculated on the principles prescribed in and by con-

current reſolutions of the Hon. the Senate and Aſſembly of the third and fourth of April, 1792, is equal to two hundred and ſeventeen pounds two ſhillings.

All which is reſpectfully ſubmitted.

JOSIAH OGDEN HOFFMAN.

MARCH 26*th*, 1798.

Ordered, That the ſaid report and petition be referred to Mr. Wood, Mr. Gettman and Mr. Voſburgh.

The Houſe proceeded to the conſideration of the report of the ſelect committee to whom was committed the bill entitled "*An act to enable certain perſons therein named to purchaſe and hold real eſtates within this State.*" Thereupon,

Reſolved, That the Houſe do agree with the committee in their ſaid report.

Ordered, That the bill be engroſſed.

Ordered, That the Members attending in this Houſe from the county of Dutchess be added to the ſelect committee to whom was committed the bill entitled "*An act for laying out and improving the road from Mamakating to Coſhecton.*"

Mr. Bowman, from the committee to whom was referred the petition of Cornelius H. Waldron and others, inhabitants of the county of Montgomery, praying that part of the ſaid county might be annexed to the county of Herkemer; and alſo the remonſtrance of P. Yates and others, againſt the ſame, reported, that under the circumſtances of the caſe, the committee are of opinion that the prayer of the petitioners ought not to be granted. Which report was agreed to by the Houſe.

The bill entitled "*An act to amend the act entitled "An act for the relief of John R. Coles, and to provide for laying out new roads,*" with the engroſſed amendments, was read the third time.

Reſolved, That the bill do paſs.

Ordered, That Mr. Moffet and Mr. Morſe deliver the bill and amendments to the Hon. the Senate, and inform them that this Houſe have paſſed the bill with the amendments therewith delivered.

Mr. Fairlie, from the committee of the whole houſe, on the bill entitled "*An act declaring certain ſtreams therein named to be public highways,*" reported progreſs, and obtained leave to ſit again.

Mr. Bowman, from the ſelect committee to whom was committed the bill entitled "*An act relative to the Goſpel and ſchool lots in the town of Sherburne, in the county of Herkemer,*" reported, that the committee had gone through the bill and made amendments, which he was directed to report to the houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read: Thereupon,

Ordered, That the ſaid bill be recommitted to a committee of the whole Houſe.

Then the Houſe adjourned until ten o'clock to-morrow morning.

Saturday, ten o'clock, A. M. March 31ſt, 1798.

The engroſſed bill entitled "*An act concerning writs of certiorari, and to repeal the ninth ſection of the act entitled "An act concerning courts of Oyer and Terminer and Gaol Delivery,*" was read the third time.

Reſolved, That the bill do paſs.

The engroſſed bill entitled "*An act to enable certain perſons therein named to purchaſe and hold real eſtates within this State,*" was read the third time.

Reſolved, That the bill do paſs.

The engroſſed bill entitled "*An act to amend an act entitled "An act for the further ſale of the unappropriated lands of this State, and for other purpoſes therein mentioned,*" was read the third time.

Reſolved, That the bill do paſs.

Ordered, That Mr. Ogden and Mr. Pearſall deliver the three laſt mentioned bills to the Hon. the Senate and requeſt their concurrence.

The bill entitled "*An act relative to judgments and bail in the Supreme Court of Judicature of this State,*" and the bill entitled "*An act to amend the act entitled "An act for the relief of Nathaniel Mallory and others,*" were ſeverally read a ſecond time and committed to a committee of the whole houſe.

Two ſeveral meſſages from the Hon. the Senate, delivered by Mr. Addiſon and Mr. Arndt, with the bills therein reſpectively mentioned, were read, that the Senate have paſſed the bill entitled "*An act concerning the Circuit Courts and the courts of Oyer and Terminer and Gaol Delivery,*" and the bill entitled "*An act extending the period for*

eceiving claims to the money paid into the treasury of this State by the State of Vermont," to hich they requeſt the concurrence of this houſe.

The ſaid bills were ſeverally read the firſt time and ordered a ſecond reading.

Mr. Burr in behalf of Mr. M'Neal, from the ſelect committee to whom was committed the bill entitled *"An act for the relief of Joſeph Mabee and others, entitled to the ight of pre-emption of lands in the Oneida reſervation,"* reported, that the committee had one through the bill, made amendments, and added a clauſe, which he was directed o report to the houſe, and he read the report in his place and delivered the ſame in t the table, where it was again read and agreed to by the houſe.

Ordered, That the amendments be engroſſed.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Addiſon and Mr. Arndt, with the bill therein mentioned, was read, that the Senate have paſſed the bill ntitled *"An act to regulate the fiſhery in Otſego lake,"* with the amendments therewith elivered; the bill and amendments were read, and the amendments being read a econd time, were concurred in by the houſe, and the bill amended accordingly.

Ordered, That Mr. Pearſall and Potter deliver the bill to the Hon. the Senate, and nform them that this houſe have concurred in their amendments to the bill, and have mended the bill accordingly.

Ordered, That the committee of the whole houſe be diſcharged from the further onſideration of the bill entitled *"An act to amend the act entitled "An act for dividing he counties of this State into towns,"* and that the ſame be committed to a ſelect committee, conſiſting of the Members attending in this houſe from the county of Waſhington.

A petition of D. Gardenier and others, freeholders and inhabitants of the county f Columbia, praying that a law may be paſſed for raiſing the ſum of ſix hundred ollars by tax on the inhabitants, for repairing the court-houſe and gaol in ſaid coun-y, was read, and referred to the Members attending in this houſe from the county of olumbia.

A memorial and remonſtrance of James Van Horne, remonſtrating againſt the aſſing of the bill entitled *"An act for the relief of the purchaſers of certain lands in the ourth allotment of the Royal Grant, and for other purpoſes,"* was read and referred to Mr. Metcalfe, Mr. Brown and Mr. Maſon.

Mr. Williamſon, from the ſelect committee to whom was committed the bill entitled *An act providing for the regiſtry of deeds in certain counties therein mentioned,"* reported, hat the committee had gone through the bill and made amendments, which he was irected to report to the Houſe, and he read the report in his place and delivered he ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the amendments be engroſſed.

The bill entitled *"An act for the relief of Joſeph Mabee and others entitled to the right f pre-emption of lands in the Oneida reſervation,"* with the engroſſed amendments, was ead the third time.

Reſolved, That the bill do paſs.

Ordered, That Mr. Ogden and Mr. Pearſall deliver the bill to the Hon. the Senate, nd inform them that this Houſe have paſſed the bill with the amendments there-ith delivered.

Mr. J. Hogeboom, from the committee to whom was referred the petition of D. ardenier and others, reported in favor of the petitioners, and obtained leave to ring in a bill entitled *"An act to authorize the raiſing a ſum of money to repair the court-uſe and gaol in the county of Columbia,"* which was read the firſt time and ordered a cond reading.

By unanimous conſent the ſaid bill was read a ſecond time and committed to a ommittee of the whole Houſe.

Ordered, That the committee of the whole Houſe be diſcharged from the further nſideration of the ſaid bill, and that the ſame be committed to a ſelect committee nſiſting of the Members attending in this Houſe from the county of Columbia.

Mr. Maſon, from the ſelect committee conſiſting of the Members attending in this ouſe from the county of Waſhington, to whom was committed the bill entitled *An act to amend the act entitled "An act for dividing the counties of this State into towns,"* ported, that the committee had gone through the bill, made amendments, expunged

the preamble and altered the title; that the altered title is, "*An act to aſcertain the boundary line between Queenſbury and Weſtfield,*" which he was directed to report to the Houſe, and he read the report in his place and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

Mr. J. Hogeboom, from the ſelect committee to whom was committed the bill entitled "*An act to authorize the raiſing a ſum of money to repair the court-houſe and gaol in the county of Columbia,*" reported, that the committee had gone through the bill without amendment, which he was directed to report to the Houſe, and he read the report in his place and delivered the ſame in at the table, where it was again read and agreed to by the houſe.

Ordered, That the bill be engroſſed.

A meſſage from the Hon. the Council of Reviſion, delivered by the Hon. Mr. Juſtice Lewis, with the bill therein mentioned, was read, and is in the words following, viz.

In Council of Reviſion, 30th March, 1798.

The Council object to the bill entitled "*An act to amend the act entitled "An act for ſuppreſſing immorality,*" paſſed the 23d day of February, 1788:

"Becauſe it enacts that no conviction or adjudication, which ſhall hereafter be had under it, ſhall be liable to be removed by certiorari into the Supreme Court, but ſhall be deemed and taken to be final to all intents and purpoſes whatever;" thereby, in reſpect to ſuch convictions or adjudications, cauſing that tranſcendant power of the Supreme Court, which hath always been conſidered as inherent in it, and as indiſpenſable for preſerving order, and reſtraining and preventing uſurpation and oppreſſion, the power to keep all inferior juriſdictions within the bounds of their authority, to ceaſe; and although in merely regulating the right of appeal, miſchiefs, even inconſiderable or remote, may be admitted as meriting notice and eſtimation; yet that it ought not, without the moſt clear and urgent reaſons of neceſſity, to be wholly taken away in any caſe, or be reſtricted from being purſued to the Court in the laſt reſort.

JOHN JAY.

Ordered, That the conſideration of the ſaid objections be poſtponed.

The Hon. the Senate returned by Mr. Arndt and Mr. Bronk, the bill entitled "*An act to regulate the fiſhery in Otſego Lake,*" and the bill entitled "*An act for the relief of the purchaſers of certain lands in the fourth allotment of the Royal Grant, and for other purpoſes.*"

Ordered, That Mr. Prince and Mr. Pride deliver the two laſt mentioned bills to the Hon. the Council of Reviſion.

A copy of a reſolution of the Hon. the Senate, alſo delivered by Mr. Arndt and Mr. Bronk, was read, and is in the words following, viz.

Reſolved, (if the Hon. the Aſſembly concur herein) That Abraham Ten Broeck, Leonard Ganſevoort, John Tayler, Jeremiah Van Renſſelaer and Gerrit W. Van Schaick, be, and hereby are appointed a committee to examine into the accounts of the Treaſurer of this State, and to do and perform what is required by the twelfth ſection of the act entitled "*An act authorizing the Auditor to audit certain accounts and claims, and for other purpoſes therein mentioned.*"

Reſolved, That this houſe do concur with the Hon. the Senate in their ſaid preceding reſolution.

Ordered, That Mr. Pearſall and Mr. Potter deliver a copy of the preceding reſolution of concurrence to the Hon. the Senate.

A copy of a reſolution of the Hon. the Senate, alſo delivered by Mr. Arndt and Mr. Bronk, was read, that the Senate do not concur with this Houſe in their reſolution as entered on the journals of this Houſe on the 27th inſtant, relative to the adjournment of the Legiſlature.

A copy of a reſolution of the Hon. the Senate, alſo delivered by Mr. Arndt and Mr. Bronk, was read, and is in the words following, viz.

Reſolved, (if the Hon. the Aſſembly concur herein) That the Legiſlature will adjourn on Wedneſday the fourth day of April next.

Ordered, That the conſideration of the ſaid reſolution be poſtponed.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Arndt and Mr. Bronk, with the bill entitled "*An act to regulate the returning and impannelling of Jurors for the trial of iſſues,*" was read, that the Senate do recede from all their amendments to the ſaid bill which were not concurred in by this houſe, except the one which reduces the compenſation to be allowed to jurors, from $37\frac{1}{2}$ to 25 cents, and do adhere to that amendment. Thereupon,

Reſolved, That this houſe do recede from their reſolution of non-concurrence to the ſaid amendment of the Hon. the Senate to the bill adhered to by them.

Ordered, That Mr. Rice and Mr. Robins deliver the bill to the Hon. the Senate, and inform them this houſe have amended the bill purſuant to their amendments concurred in by this Houſe.

A meſſage from the Hon. the Council of Reviſion, delivered by the Hon. Mr. Juſtice Lewis, was read, that it does not appear improper to the Council that the bill entitled "*An act for the relief of John Porteous and Alexander Ellice,*" the bill entitled "*An act to amend the act making alterations in the criminal law of this State and for erecting State Priſons,*" the bill entitled "*An act granting to Alexander I. Turner and Adonijah Skinner an excluſive right of running a ſtage on the route therein mentioned,*" the bill entitled "*An act repealing the ſecond ſection of the act entitled "An act for the relief of William Chace, and for keeping in repair the bridge over Hooſack River,*" the bill entitled "*An act for confirming a partition of certain lands therein mentioned,*" the bill entitled "*An act relative to the public building in the city of Albany and for erecting an arſenal in the city of New-York,*" and the bill entitled "*An act to provide againſt infectious and peſtilential diſeaſes,*" ſhould ſeverally become laws of this State.

Mr. Benton, from the committee of the whole houſe on the meſſages of his Excellency the Governor of the 5th and 21ſt inſtant, together with papers accompanying the ſame, relative to fortifying the port and harbour of New-York, reported, that after the ſaid meſſages and papers had been read in the committee a motion was made that the committee ſhould riſe and report progreſs and aſk for leave to ſit again. The queſtion being put whether the committee did agree to the ſaid motion, it was carried in the affirmative; the yeas and nays being taken on motion of Mr. Burr, ſeconded by Mr. De la Montagnie, were as follows, viz.

For the Affirmative.

Mr. Adams,	Mr. Coryell,	Mr. Jenkins,	Mr. Snell,
Mr. Baldwin,	Mr. Deitz,	Mr. Maſon,	Mr. Speaker,
Mr. Barber,	Mr. J. A. De Witt,	Mr. M'Farlan,	Mr. Teed,
Mr. W. Barker,	Mr. J. C. De Witt,	Mr. Metcalfe,	Mr. Ten Broeck,
Mr. Bird,	Mr. Dewey,	Mr. Morſe,	Mr. Thomas,
Mr. Bevier,	Mr. Fort,	Mr. Ogden,	Mr. Iſrael Thompſon,
Mr. Bowen,	Mr. Gettman,	Mr. Potter,	Mr. Jeſſe Thompſon,
Mr. Brown,	Mr. Gregory,	Mr. Pride,	Mr. Joel Thompſon,
Mr. Carman,	Mr. Hall,	Mr. Rice,	Mr. Van Alſtyne,
Mr. Clark,	Mr. Heermance,	Mr. P. I. Schuyler,	Mr. Verplank,
Mr. Coe,	Mr. Henry,	Mr. J. Smith,	Mr. Wendell,
Mr. Comſtock,	Mr. Holly,	Mr. N. Smith,	Mr. Wheeler, 50
Mr. Cornwell,	Mr. Holt,		

For the Negative.

Mr. Arcularius,	Mr. Fairlie,	Mr. Hunt,	Mr. Robins,
Mr. J. Barker,	Mr. Foot,	Mr. M'Cord,	Mr. Savage,
Mr. Boyd,	Mr. Halſey,	Mr. M'Neal,	Mr. Skidmore,
Mr. Burr,	Mr. Hatfield,	Mr. Micheau,	Mr. A. Smith,
Mr. Burling,	Mr. Hoag,	Mr. Miller,	Mr. T. Smith,
Mr. Campbell,	Mr. J. Hogeboom,	Mr. Mitchell,	Mr. Storm,
Mr. Clift,	Mr. K. Hogeboom,	Mr. Pearſall,	Mr. Vandervoort,
Mr. Clinton,	Mr. Horton,	Mr. Prince,	Mr. Warner,
Mr. De la Montagnie,	Mr. Howard,	Mr. Reeve,	Mr. Wood. 36

Thereupon, *Ordered*, That the ſaid committee have leave to ſit again.

The bill entitled "*An act providing for the regiſtry of deeds in certain counties therein mentioned,*" with the engroſſed amendments, was read the third time.

Reſolved, That the bill do paſs.

Ordered, That Mr. Pride and Mr. Reeve deliver the bill to the Hon. the Senate, and inform them that this houſe have paſſed the bill with the amendments therewith delivered.

The engroſſed bill entitled "*An act for the benefit of inſolvent debtors and their creditors,*" was read the third time.

Reſolved, That the bill do paſs.

Ordered, That Mr. Pride and Mr. Reeve deliver the bill to the Hon. the Senate, and requeſt their concurrence.

Mr. Fairlie, from the committee of the whole houſe on the bill entitled "*An act to preſerve and ſupport the juriſdiction of this State*," reported, that the committee had gone through the bill and made amendments, which he was directed to report to the houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the houſe.

Ordered, That the bill be engroſſed.

A meſſage from the Hon. the Council of Reviſion, delivered by the Hon. the Chancellor, was read, that it does not appear improper to the Council that the bill entitled "*An act for the relief of Anna Breadbake and Ann Ogilvie*;" the bill entitled "*An act for the payment of certain officers of government, and other contingent expenſes*;" the bill entitled "*An act to regulate the fiſhery in Otſego Lake*," and the bill entitled "*An act for the relief of the purchaſers of certain lands in the fourth allotment of the Royal Grant, and for other purpoſes*," ſhould ſeverally become laws of this State.

Mr. Fairlie, from the committee of the whole houſe, on the bill entitled "*An act declaring certain ſtreams therein named to be public highways*," reported, that the committee had gone through the bill and made amendments, which he was directed to report to the Houſe, and he read the report in his place and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the amendments be engroſſed.

Mr. Dewey, from the committee of the whole houſe, on the bill entitled "*An act relative to lands on the Niagara River belonging to the people of this State*," reported, that the committee had gone through the bill without amendment, which he was directed to report to the Houſe, and he read the report in his place and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

By unanimous conſent the ſaid bill was read the third time.

Reſolved, That the bill do paſs.

Ordered, That Mr. Reeve and Mr. Rice deliver the bill to the Hon. the Senate, and inform them that this houſe have paſſed the bill without amendment.

The bill entitled "*An act declaring certain ſtreams theirein named to be public highways*," with the engroſſed amendments, was read the third time.

Reſolved, That the bill do paſs.

Ordered, That Mr. Reeve and Mr. Rice deliver the bill to the Hon. the Senate, and inform them that this Houſe have paſſed the bill with the amendments therewith delivered.

Mr. Mitchell, from the committee of the whole Houſe, on the bill entitled "*An act for the relief of Ebenezer Mott*," reported, that the committee had gone through the bill without amendment, which he was directed to report to the houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

Then the Houſe adjourned until nine o'clock on Monday morning next.

Monday, nine o'clock, A. M. April 2d, 1798.

The engroſſed bill entitled "*An act to authorize the raiſing a ſum of money to repair the court-houſe and gaol in the county of Columbia*," was read the third time.

Reſolved, That the bill do paſs.

The engroſſed bill entitled "*An act to preſerve and ſupport the juriſdiction of this State*," was read the third time.

Reſolved, That the bill do paſs.

The engroſſed bill entitled "*An act for the relief of Ebenezer Mott*," was read the third time.

Reſolved, That the bill do paſs.

The engroſſed bill entitled "*An act to aſcertain the boundary line between Queenſbury and Weſtfield*," was read the third time.

Reſolved, That the bill do paſs.

Ordered, That Mr. Rice and Mr. Robins deliver the four laſt mentioned bills to the Hon. the Senate, and requeſt their concurrence.

The bill entitled "*An act concerning the Circuit Courts and the Courts of Oyer and Ter-*
iner and Gaol Delivery," and the bill entitled "*An act extending the period for receiving*
claims to the money paid into the treasury of this State by the State of Vermont," were
verally read a ſecond time and committed to a committee of the whole houſe.

Ordered, That the committee of the whole houſe be diſcharged from the further
nſideration of the bill entitled "*An act extending the period for receiving the claims to*
money paid into the treaſury of this State by the State of Vermont," and that the ſame
committed to a ſelect committee conſiſting of Mr. Comſtock, Mr. Jenkins and
r. Maſon.

Mr. P. P. Schuyler, from the committee conſiſting of the Members attending in
is houſe from the city and county of Albany, to whom was referred the petition
James Caldwell and others, reported, that in the opinion of the committee it
ould be highly expedient to grant the prayer of the petitioners; but, in as much
the preſent ſeſſion of the Legiſlature is near its cloſe, and much important buſineſs
t unfiniſhed before both branches of the Legiſlature, it would be proper to paſs a
ncurrent reſolution for their relief; that the committee had prepared a reſolution,
ith a recital, for that purpoſe; which reſolution, with its recital, was read and agreed
by the houſe, and is in the words following, viz.

Whereas James Caldwell and others, have, by their petition preſented to the Legiſ-
ture at the preſent ſeſſion, prayed that a law might be paſſed to enable them to erect
market-houſe in a certain part of the town of Watervliet, in the county of Albany,
ar the north bounds of the city of Albany, therein ſet forth, and to authorize the
ection of truſtees to ſuperintend the ſaid market-houſe: Therefore,

Reſolved, (if the Hon. the Senate concur herein) That the petitioners have leave
preſent a bill for the purpoſes ſet forth in their ſaid petition to either branch of
e Legiſlature at the next ſeſſion; provided that they cauſe a copy of the ſaid bill
d this reſolution to be publiſhed in the newſpaper printed by the Printer to this
ate, for three weeks ſucceſſively previous to the ſaid next meeting of the Legiſla-
re, to the end, that thoſe who are intereſted in the premiſes, may ſhew cauſe, if any
ey have, why the ſame ſhould not be paſſed into a law.

Ordered, That Mr. Rice and Mr. Robins deliver a copy of the preceding reſolu-
n to the Hon. the Senate.

Mr. Comſtock, from the ſelect committee to whom was committed the bill enti-
d "*An act extending the period for receiving the claims of the money paid into the treaſury*
this State by the State of Vermont," reported, that the committee had gone through
e bill without amendment, which he was directed to report to the houſe, and he
ad the report in his place, and delivered the ſame in at the table, where it was
ain read and agreed to by the houſe.

By unanimous conſent the ſaid bill was read the third time.

Reſolved, That the bill do paſs.

Ordered, That Mr. Rice and Mr. Robins deliver the bill to the Hon. the Senate,
d inform them that this houſe have paſſed the bill without amendment.

The houſe proceeded to the conſideration of the objections of the Hon. the Coun-
l of Reviſion, to the bill entitled "*An act to amend the act entitled "An act for ſup-*
preſſing immorality," paſſed the 23d day of February, 1788, as entered on the jour-
ls of this houſe on the 31ſt day of March laſt. The ſaid objections having been
ad and conſidered, and the ſaid bill having been read and reconſidered, Mr. Speak-
put the queſtion, whether the ſaid bill, notwithſtanding the objections of the Hon.
e Council of Reviſion to the ſame, ſhould become a law of this State, and it was
rried in the affirmative by a majority of more than two thirds of the Members pre-
nt. Thereupon,

Reſolved, That the ſaid bill, notwithſtanding the objections of the Hon. the Coun-
l of Reviſion to the ſame, become a law of this State.

Ordered, That Mr. Robins and Mr. Savage deliver the ſaid bill, objections and a
py of the preceding reſolution, to the Hon. the Senate.

The houſe proceeded to the conſideration of the reſolution of the Hon. the Senate
entered on the journals of this houſe on the 30th March laſt, directing the Attor-
y-General to defend the ſuit commenced by Gerrit H. Van Wagenen againſt Tho-
as M'Gee, relative to a certain farm ſituate in the county of Waſhington, and ſold

by the commiſſioners of forfeitures for the Eaſtern Diſtrict to the ſaid Thomas M'Gee. Thereupon,

Reſolved, That this houſe do not concur with the Hon. the Senate in their ſaid reſolution.

Ordered, That Mr. Rice and Mr. Robins deliver a copy of the preceding reſolution of non-concurrence to the Hon. the Senate.

Whereas Thomas M'Gee hath by his petition repreſented to the Legiſlature that he hath purchaſed a farm ſituate in the county of Waſhington, which was ſold by the commiſſioners of forfeitures for the Eaſtern Diſtrict of this State, and that it hath ſince been diſcovered that the ſaid premiſes were mortgaged before the late war to one Ennis Graham, and that the ſaid mortgage hath been aſſigned to Gerrit H. Van Wagenen, who has lately filed his bill in the Hon. Court of Chancery to foreclose the equity of redemption in and to the mortgaged premiſes. Whereupon,

Reſolved, (if the Hon. the Senate concur herein) That the Attorney-General be, and he is hereby directed to defend the ſuit ſo as aforeſaid inſtituted on the ſaid mortgage, and to report the iſſue thereof to the Legiſlature at their next meeting.

Ordered, That Mr. Rice and Mr. Robins deliver a copy of the preceding reſolution to the Hon. the Senate.

Mr. Potter, from the committee of the whole houſe on the bill entitled "*An act ſupplementary to the act entitled "An act concerning the recovery of debts and demands to the value of ten pounds in the city of New-York,*" reported, that the committee had gone through the bill, made amendments, and added a clauſe, which he was directed to report to the Houſe, and he read the report in his place and delivered the ſame in at the table, where it was again read and agreed to by the houſe.

Ordered, That the bill be engroſſed.

Mr. De la Montagnie, from the committee of the whole houſe on the bill entitled "*An act relative to the ſurveys of towns within this State,*" reported, that the committee had gone through the bill, made amendments, and added a clauſe, which he was directed to report to the Houſe, and he read the report in his place and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the bill be engroſſed.

A meſſage from the Hon. the Senate, delivered by Mr. Bronk and Mr. Cantine, with the bill therein-mentioned, was read, that the Senate have paſſed the bill entitled "*An act eſtabliſhing the Secretary's office in the city of Albany,*" to which they request the concurrence of this houſe, the ſaid bill was read the firſt time and ordered a ſecond reading.

Two ſeveral meſſages from the Hon. the Senate, alſo delivered by Mr. Bronk and Mr. Cantine, with the bills therein reſpectively mentioned, were read, that the Senate have concurred in the amendments of this houſe to the bill entitled "*An act to amend an act entitled "An act for the relief of John B. Coles, and to provide for laying out new roads,*" and to the bill entitled "*An act for the relief of Joſeph Mabee and others entitled to the right of pre-emption under this State to certain lands in the Oneida reſervation,*" and have amended the ſaid bills accordingly.

Ordered, That Mr. Robins and Mr. Savage return the two laſt mentioned bills to the Hon. the Senate.

The Hon. the Senate returned by Mr. Bronk and Mr. Cantine, the bill entitled "*An act to regulate the returning and impannelling of Jurors for the trial of Iſſues.*"

A meſſage from the Hon. the Senate, alſo delivered by Mr. Bronk and Mr. Cantine, was read, that the Senate have paſſed the bill entitled "*An act to prevent the evils ariſing from the diſſolution of any religious corporation within this State,*" without amendment.

Ordered, That Mr. Savage and Mr. P. I. Schuyler deliver the two laſt mentioned bills to the Hon. the Council of Reviſion.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Bronk and Mr. Cantine, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "*An act to erect part of the counties of Ulſter and Orange into a ſeparate county,*" with the amendments therewith delivered.

Ordered, That the conſideration of the ſaid amendments be poſtponed.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Bronk and Mr. Can-

time, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled *"An act to veſt certain powers in the freeholders and inhabitants of the village commonly known by the name of Old Fort Schuyler."* The bill and amendments were read, and the amendments being read a ſecond time, were concurred in by the Houſe and the bill amended accordingly.

Ordered, That Mr. P. I. Schuyler and Mr. P. P. Schuyler deliver the bill to the Hon. the Senate, and inform them that this Houſe have concurred in their amendments to the bill and have amended the ſame accordingly.

Two ſeveral meſſages from the Hon. the Council of Reviſion, tranſmitted to this Houſe by the Hon. the Senate, was read, that it does not appear improper to the Council that the bill entitled *"An act for the relief of the people called Shaking Quakers, and the religious ſect known by the name of Univerſal Friends,"* the bill entitled *"An act for the relief of the executors of Abraham Wing, deceaſed,"* the bill entitled *"An act to amend the act entitled "An act making proviſion to keep in repair the bridge over the Mohawk River below the Cohoes Falls,"* the bill entitled *"An act ſupplementary to the act entitled "An act concerning the ſalt ſprings in the county of Onondaga,"* the bill entitled *"An act for the relief of the children of Martin Heyſer,"* and the bill entitled *"An act for the relief of Abraham Smith,"* ſhould ſeverally become laws of this State.

Mr. M'Neal, from the committee of the whole houſe, on the bill entitled *"An act further to amend the laws relative to lock navigation within this State, and for other purpoſes therein mentioned,"* reported, that the committee had gone through the bill and made amendments, which he was directed to report to the Houſe, and he read the report in his place and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the amendments be engroſſed.

Then the Houſe adjourned until three o'clock this afternoon.

Three o'clock, P. M.

The Houſe met purſuant to adjournment.

Mr. Burr, from the committee to whom was referred the petition of John Lamb, late collector, and the documents accompanying the ſame, reported, That it doth appear to the committee that in the execution of the duties appertaining to the ſaid office, the ſaid John Lamb hath performed ſundry important ſervices, and expended conſiderable ſums of money, for which no proviſion hath been made by any exiſting law. That during the time the ſaid John Lamb acted as collector he accounted for and paid to this State, fees ariſing in the execution of his office to the amount of 37,437 dollars, being 12,962 dollars more than his charges for ſalary and ſervices. That the ſaid John Lamb doth claim a balance to be now actually due to him from this State; that nevertheleſs, by the mode in which the ſaid accounts have been ſtated and allowed by the accounting officers of this State, ſtrictly, according to exiſting laws and appropriations, a balance is made to appear againſt the ſaid John Lamb. That the accounts and vouchers relating to the matters in diſpute, being numerous and in ſome degree intricate, are therefore in the opinion of the committee, an improper ſubject of inveſtigation for this Houſe, and there being no tribunal by law eſtabliſhed, competent to ſuch inquiry and deciſion, your committee recommend to the conſideration of the Houſe a reſolution which they have prepared relative thereto; which ſaid reſolution, with its recital, was read, and agreed to by the Houſe, and is in the words following, viz.

Whereas John Lamb, late collector of the port of New-York, under the authority of this State, doth claim a balance to be due to him for ſervices performed, and monies expended, for which no legal proviſion hath been made, and whereas by the manner in which the accounts of the ſaid John Lamb have been ſtated and allowed by the accounting officers of this State, there doth appear to be a balance due from the ſaid John Lamb, for the equitable determination thereof.

Reſolved, (if the Hon. the Senate concur herein) That the Supreme Court be, and hereby is authorized and required on the application either of the Attorney-General, on the behalf of this State, or of the ſaid John Lamb, to appoint three referees to hear and finally determine the matters aforeſaid, making all equitable allowances to the ſaid John Lamb, and that all other proceedings in any court of law on the part of this State for the matters aforeſaid do in the mean time ceaſe.

Ordered, That Mr. P. I. Schuyler and Mr. P. P. Schuyler deliver a copy of the preceding reſolution to the Hon. the Senate.

Mr. Comſtock, from the committee to whom was referred the petition of Platt Wyckes and others, praying that a law might be paſſed prohibiting the uſe of ſet-nets for taking fiſh in Hudſon's river, reported, That it is the decided opinion of your committee the principal cauſe of the diminution of the fiſh and their not paſſing up the North River as uſual, is owing to the erecting of mill-dams acroſs the ſtreams emptying into ſaid river, and communicating with lakes; that the fiſh, guided by unerring inſtinct, uſed to go, at certain times of the year, in immenſe quantities into the ſoft and warm waters of theſe lakes, ſuited to their nature, to ſpawn, and whence they returned with their numerous progeny into the North River, and thereby repleniſhed it with a great abundance of fiſh; and that ſince the erection of theſe dams, the fiſh are cut off from their uſual communication with the waters of theſe lakes, waters which it ſeems nature has made neceſſary to the propagation of their kind; and fiſh in the North River have greatly decreaſed, and that it is therefore principally owing to the aforementioned cauſe, and not from the ſetting of the ſimple nets mentioned in the petition, that fiſh are not as plenty as uſual; that fiſhing in the North River is, and ought to be free to all our citizens in any and every mode whatever, not injurious to the public, and that the mode complained of cannot, in the opinion of your committee, be ſaid to have that effect.

It is therefore the opinion of your committee, that the prayer of the petitioners ought not to be granted. Which report was agreed to by the houſe.

Mr. Fairlie, from the committee to whom was referred the petition of Mary Black, together with the report of the Comptroller thereon, reported, that the committee have not documents ſufficient in their poſſeſſion, nor have they been able to procure them to make a definite report thereon. Which report was agreed to by the houſe.

Mr. P. I. Schuyler, from the committee to whom was referred the petition of Joſeph Brown and others, reported, that in the opinion of the committee the prayer of the petitioners ought to be granted, and that a clauſe be added to ſome proper bill for that purpoſe. Thereupon,

Ordered, That the ſaid committee do prepare and bring in ſuch clauſe.

Mr. Metcalfe, from the committee to whom was referred the petition of James Van Horne, reported in favor of the petitioner, and obtained leave to bring in a clauſe to be added to ſome proper bill for that purpoſe.

Mr. Comſtock, from the ſelect committee to whom was committed the bill entitled "*An act to amend the act entitled "An act to regulate the practice of Phyſic and Surgery in this State,*" reported, that the committee had gone through the bill and made amendments, which he was directed to report to the houſe, and he read the report in his place and delivered the ſame in at the table, where it was again read: Thereupon,

Ordered, That the conſideration of the ſaid report be poſtponed.

Mr. Verplank, from the committee of the whole houſe, on the bill entitled "*An act relative to the vendue duty ariſing from ſales at auction in the city of New-York,*" reported, that after the ſaid bill had been read in the committee, Mr. Hunt made a motion, that the committee ſhould agree to a bill entitled "*An act ſubjecting goods ſold at auction to additional duty for the ſupport of the foreign poor in the city of New-York,*" as a ſubſtitute to the ſaid bill, which was carried in the affirmative. Mr. Verplank further reported, that the committee had gone through the ſaid bill and filled up the blanks, which he was directed to report to the houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the houſe.

Ordered, That the bill be engroſſed.

Mr. Cliffr, from the committee of the whole houſe, on the bill entitled "*An act concerning the civil relations and eſtates of perſons ſentenced to impriſonment for life,*" reported progreſs: Thereupon,

Ordered, That the committee of the whole houſe be diſcharged from the further conſideration of the ſaid bill, and that the ſame be committed to a ſelect committee conſiſting of Mr. Metcalfe, Mr. Comſtock and Mr. Wood.

Ordered, That the committee of the whole Houſe be diſcharged from the further conſideration of the bill entitled "*An act concerning certain ſtreets, wharves and piers, and the alms-houſe and bridewell, in the city of New-York,*" and that the ſame be com-

mitted to a ſelect committee conſiſting of Mr. Robins, Mr. Arcularius and Mr. De la Montagnie.

Mr. Arcularius, from the committee of the whole houſe, on the bill entitled "*An act relative to judgments and bail in the Supreme Court of Judicature of this State,*" reported, that after the ſaid bill had been read in the committee and ſome amendments made thereto, Mr. Benton made a motion, that the committee ſhould agree to add a clauſe to the ſaid bill, which was read and is in the words following, viz.

And be it further enacted, That ſo much of the act entitled "*An act to regulate highways,*" as relates to the alteration of waggons in the counties of be, and the ſame is hereby repealed.

The queſtion being put whether the committee did agree to the clauſe propoſed by the motion of Mr. Benton, it paſſed in the negative.

The yeas and nays being taken on motion of Mr. Thomas, ſeconded by Mr. Benton, were as follows, viz.

For the Negative.

Mr. Baldwin,	Mr. Coryell,	Mr. Howard,	Mr. Skidmore,	
Mr. W. Barker,	Mr. Deitz,	Mr. Hunt,	Mr. A. Smith,	
Mr. Bowen,	Mr. De la Montagnie,	Mr. M'Cord,	Mr. T. Smith,	
Mr. Bowman,	Mr. Dewey,	Mr. M'Farlan,	Mr. Snell,	
Mr. Boyd,	Mr. Fairlie,	Mr. M'Neal,	Mr. Storm,	
Mr. Bruyn,	Mr. Fonda,	Mr. Metcalfe,	Mr. Speaker,	
Mr. Burr,	Mr. Foot,	Mr. Michean,	Mr. Teed,	
Mr. Burling,	Mr. Fort,	Mr. Miller,	Mr. Thomas,	
Mr. Burt,	Mr. Gregory,	Mr. Mitchell,	Mr. Jeſſe Thompſon,	
Mr. Campbell,	Mr. Hall,	Mr. Morſe,	Mr. Joel Thompſon,	
Mr. Carman,	Mr. Halſey,	Mr. Prince,	Mr. Vandervoort,	
Mr. Clark,	Mr. Hatfield,	Mr. Pride,	Mr. Van Alſtyne,	
Mr. Clift,	Mr. Henry,	Mr. Reeve,	Mr. Verplank,	
Mr. Clinton,	Mr. Hoag,	Mr. Rice,	Mr. Warner,	
Mr. Coe,	Mr. Holly,	Mr. Robins,	Mr. Weſt,	
Mr. Comſtock,	Mr. Holt,	Mr. P. I. Schuyler,	Mr. Wheeler,	
Mr. Cornwell,	Mr. Horton,	Mr. P. P. Schuyler,	Mr. Wood,	51

For the Affirmative.

Mr. Barber,	Mr. J. C. De Witt,	Mr. Maſon,	Mr. Savage,	
Mr. J. Barker,	Mr. J. Hogeboom,	Mr. Ogden,	Mr. J. Smith,	
Mr. Beaton,	Mr. K. Hogeboom,	Mr. Potter,	Mr. Ten Broeck.	15
Mr. Bevier,				

Mr. Arcularius further reported, that the committee had gone through the bill and made amendments, which he was directed to report to the houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the houſe.

Ordered, That the amendments be engroſſed.

Ordered, That the committee of the whole houſe be diſcharged from the further conſideration of the bill entitled "*An act to amend the act entitled "An act for the relief of Nathaniel Mallory and others,*" and that the ſame be committed to a ſelect committee conſiſting of Mr. Savage, Mr. M'Neal and Mr. Verplank.

Then the Houſe adjourned until ten o'clock to-morrow morning.

Tueſday, ten o'clock, A. M. April 3d, 1798.

The engroſſed bill entitled "*An act ſupplementary to the act entitled "An act concerning the recovery of debts and demands to the value of ten pounds in the city of New-York,*" was read the third time.

Reſolved, That the bill do paſs.

The engroſſed bill entitled "*An act ſubjecting goods ſold at auction to additional duty for the ſupport of the foreign poor in the city of New-York,*" was read the third time.

Reſolved, That the bill do paſs.

The engroſſed bill entitled "*An act relative to the ſurveys of towns within this State,*" was read the third time.

Reſolved, That the bill do paſs.

Ordered, That Mr. P. I. Schuyler and Mr. P. P. Schuyler deliver the three laſt mentioned bills to the Hon. the Senate, and requeſt their concurrence.

The bill entitled "*An act further to amend the laws relative to lock navigation within this State, and for other purpoſes therein mentioned,*" with the engroſſed amendments, was read the third time.

Reſolved, That the bill do paſs.

Ordered, That Mr. P. P. Schuyler and Mr. P. P. Schuyler deliver the bill to the Hon. the Senate, and inform them that this houſe have paſſed the bill with the amendments therewith delivered.

The bill entitled "*An act eſtabliſhing the Secretary's office at the city of Albany*," was read the ſecond time and committed to a committee of the whole houſe.

A petition of Michael Cortright, relative to improvements by him made on a lot of land ſituate in Philips's Manor, in the county of Weſtcheſter, which lot was ſold by the commiſſioners of forfeitures for the Southern Diſtrict of this State, was read, and referred to the Comptroller to report thereon.

The Comptroller, to whom was referred the petition of Thomas Shipboy, reported, That the petitioner ſtates in his petition that Ebenezer Jeſſup, the 16th of October, 1776, gave to William Gray his note or obligation, whereby for value received he promiſed to pay him or order the ſum of 300l. in ſilver Spaniſh milled dollars, on the firſt of October then next enſuing, but if not then paid, then lawful intereſt till paid; that Gray being indebted to the petitioner, endorſed the note or obligation to him on the 25th of October, in the ſame year; that Jeſſup being a diſaffected perſon, went off to Canada, in conſequence of which his eſtate was forfeited and confiſcated, and has been ſold by the commiſſioners of forfeitures for the uſe of this State; that the petitioner has applied to Jeſſup for payment of the money due on the note or obligation, but without ſucceſs; and he therefore prays for relief.

It does not appear by any of the vouchers accompanying the petition, whether there is any money in the treaſury ariſing from Jeſſup's eſtate. But if there is, and ſuppoſing the facts ſtated in the petition to be true, the Comptroller is of opinion that the petitioner is not entitled to any relief; becauſe the debt was contracted after the ninth day of July, 1776. The proviſion made by law for the diſcharge of debts due from perſons whoſe eſtates were forfeited for adhering to the enemies of the State, was limited to ſuch as were contracted prior to that day.

All which is reſpectfully ſubmitted.

SAMUEL JONES, *Comptroller.*

ALBANY, *April 2d*, 1798.

Reſolved, That this houſe do agree with the Comptroller in his ſaid report.

The Surveyor-General, to whom was referred the petition of Henry Sitney and Jacob Sitney, returned the petition with the following endorſement thereon, viz. "The Surveyor-General cannot find out what land is petitioned for, owing to the inaccuracy of deſcription."

The Surveyor-General, to whom was referred the petition of Timothy Mills and others, reported, That the petitioners alledge that they are ſettled on lands claimed under the patent of Kayaderoſſeras, and which, by their conſtruction, do not come within its bounds; they pray therefore that this fact may be aſcertained, and they receive titles for the land.

The north bounds of the patent of Kayaderoſſeras, as deſcribed in the grant, has been differently conſtrued by the former government and the patentees; but it does not appear that any legal deſcription has ever been had on the ſubject. Conſidering, however, the length of time in which it has remained in a dormant ſtate, and that the forming of an opinion on it would require conſiderations belonging peculiarly to the profeſſion of law, the Surveyor-General doubts whether he can with propriety make a report ſo as to reach the merits of this caſe:

All which is reſpectfully ſubmitted.

SIMEON DE WITT, *Surveyor-General.*

APRIL 2d, 1798.

Thereupon, *Ordered*, That the ſaid report and petition be referred to the Attorney-General to report thereon to the Legiſlature at the next ſeſſion.

Mr. Savage, from the ſelect committee to whom was committed the bill entitled "*An act to amend the act entitled* "*An act for the relief of Nathaniel Mallory and others*," reported, that the committee had gone through the bill without amendment, which he was directed to report to the houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the houſe.

A copy of a reſolution of the Hon. the Senate, delivered by Mr. Clark and Mr.

Coe, was read, that the Senate do not concur with this houſe in their reſolution as entered on the journals of this houſe yeſterday, granting leave to James Caldwell and others to preſent a bill to either houſe of the Legiſlature at the next ſeſſion, for the purpoſe of erecting a market-houſe in the town of Watervliet.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Clark and Mr. Coe, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "*An act to revive the act entitled "An act for the relief of the Examiner in Chancery,*" to which they requeſt the concurrence of this houſe. The ſaid bill was read the firſt time and ordered a ſecond reading.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Clark and Mr. Coe, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "*An act to eſtabliſh a turnpike corporation for improving the State road from the houſe of John Weaver, in Watervliet, to Cherry Valley,*" with the amendments therewith delivered. The bill and amendments were read, and the amendments being read a ſecond time, were concurred in by the houſe and the bill amended accordingly.

Ordered, That Mr. T. Smith and Mr. J. Smith deliver the bill to the Hon. the Senate, and inform them that this houſe have concurred in their amendments to the ſaid bill, and have amended the bill accordingly.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Clark and Mr. Coe, with the bill therein mentioned, was read, that the Senate have concurred in the amendments of this houſe to the bill entitled "*An act providing for the regiſtry of deeds in certain counties therein mentioned,*" and have amended the ſaid bill accordingly.

Ordered, That Mr. P. I. Schuyler and Mr. P. P. Schuyler return the ſaid bill to the Hon. the Senate.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Clark and Mr. Coe, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "*An act to eſtabliſh a turnpike corporation for improving the road from the ſprings in Lebanon to the city of Albany,*" with the amendments therewith delivered.

Ordered, That the conſideration of the ſaid amendments be poſtponed.

Mr. Comſtock moved for, and by unanimous conſent obtained leave to bring in a bill entitled "*An act to repair the bridge over the Mohawk River below the Cohoes Falls,*" which was read the firſt time and ordered a ſecond reading.

By unanimous conſent the ſaid bill was read a ſecond time and committed to a committee of the whole houſe.

Reſolved, (if the Hon. the Senate concur herein) That a committee of both houſes be appointed to examine what part of the unfiniſhed buſineſs now before the Legiſlature is neceſſary to be taken up and completed the preſent ſeſſion, and report their opinion thereon with all convenient ſpeed; and in caſe of ſuch concurrence, that Mr. Burr, Mr. J. Hogeboom, Mr. Bird, Mr. Teed and Mr. Hall, be of the ſaid committee on the part of this houſe.

Ordered, That Mr. P. I. Schuyler and Mr. P. P. Schuyler deliver a copy of the preceding reſolution to the Hon. the Senate.

Mr. Bowman made a motion, that the houſe go into conſideration of the amendments of the Hon. the Senate, to the bill entitled "*An act to erect part of the counties of Ulſter and Orange into a ſeparate county.*"

Mr. Barber made a motion, that the conſideration of the ſaid amendments be further poſtponed.

Mr. Speaker put the queſtion, whether the houſe did agree to the motion of Mr. Barber, and it paſſed in the negative. The yeas and nays being taken on motion of Mr. Barber, ſeconded by Mr. J. Hogeboom, were as follows, viz.

For the Negative.

Mr. Adams,
Mr. J. Barker,
Mr. Benton,
Mr. Bowen,
Mr. Bowman,
Mr. Brown,
Mr. Burt,
Mr. Clifft,
Mr. Cornwell,
Mr. Coryell,
Mr. Deitz,
Mr. Dewey,
Mr. Fonda,
Mr. Foot,
Mr. Fort,
Mr. Gettman,
Mr. Hall,
Mr. Halſey,
Mr. Hatfield,
Mr. Henry,
Mr. Holly,
Mr. Hole,
Mr. Howard,
Mr. Maſon,
Mr. M'Farlan,
Mr. M'Neal,
Mr. Metcalfe,
Mr. Michean,
Mr. Miller,
Mr. Morſe,
Mr. Ogden,
Mr. Pearſall,
Mr. Porter,
Mr. Prince,
Mr. Reeve,
Mr. Rice,
Mr. P. I. Schuyler,
Mr. P. P. Schuyler,
Mr. J. Smith,
Mr. Teed,
Mr. Thomas,
Mr. Vandervoort,
Mr. Van Alſtyne,
Mr. Verplank,
Mr. Wendell,
Mr. Wheeler. 46

For the Affirmative.

Mr. Arcularius,	Mr. Carman,	Mr. K. Hogeboom,	Mr. T. Smith,
Mr. Baldwin,	Mr. Clark,	Mr. Horton,	Mr Snell,
Mr. Barber,	Mr. Clinton,	Mr. Jenkins,	Mr. Storm,
Mr. W. Barker,	Mr. Coe,	Mr. M'Cord,	Mr. Ten Broeck,
Mr. Bevier,	Mr. Comſtock,	Mr. Mitchell,	Mr. Jeſſe Thompſon,
Mr. Bird,	Mr. De la Montagnie,	Mr. Robins,	Mr Joel Thompſon,
Mr. Boyd,	Mr. J. A. De Witt,	Mr. Savage,	Mr. Warner,
Mr. Bruyn,	Mr. J. C. De Witt,	Mr. Skidmore,	Mr. Weſt,
Mr. Burr,	Mr. Fairlie,	Mr. A. Smith,	Mr. Williamſon,
Mr. Burling,	Mr. J. Hogeboom,	Mr. N. Smith,	Mr. Wood.
Mr. Campbell,			

Thereupon the houſe proceeded to the conſideration of the ſaid amendments. The bill and amendments were read; one of which was to alter the title, that the altered title is, "*An act for altering the bounds of the counties of Orange, Ulſter and Albany*;" another of the ſaid amendments was read, and is in the words following, viz.

"And that the town of Catſkill, now in the county of Albany, ſhall be, and hereby is annexed to the county of Ulſter."

Mr. Speaker put the queſtion, whether the houſe did concur with the Hon. the Senate in their ſaid laſt mentioned amendment, and it paſſed in the negative. The yeas and nays being taken on motion of Mr. Clinton, ſeconded by Mr. Bird, were as follows, viz.

For the Negative.

Mr. Adams,	Mr. Clinton,	Mr. J. Hogeboom,	Mr. Skidmore,
Mr. Arcularius,	Mr. Coe,	Mr. K. Hogeboom,	Mr. A. Smith,
Mr. Baldwin,	Mr. Comſtock,	Mr. Holly,	Mr. J. Smith,
Mr. Barber,	Mr. Deitz,	Mr. Holt,	Mr. N. Smith,
Mr. J. Barker,	Mr. De la Montagnie,	Mr. Horton,	Mr. T. Smith,
Mr. W. Barker,	Mr. J. A. De Witt,	Mr. Howard,	Mr. Snell,
Mr. Benton,	Mr. J. C. De Witt,	Mr. Jenkins,	Mr. Storm,
Mr. Bird,	Mr. Fairlie,	Mr. Maſon,	Mr. Teed,
Mr. Boyd,	Mr. Fonda,	Mr. M'Cord,	Mr. Ten Broeck,
Mr. Bruyn,	Mr. Foot,	Mr. M'Neal,	Mr. Jeſſe Thompſon,
Mr. Burr,	Mr. Fort,	Mr. Michean,	Mr. Joel Thompſon,
Mr. Burling,	Mr. Gregory,	Mr. Mitchell,	Mr. Van Alſtyne,
Mr. Burt,	Mr. Hall,	Mr. Morſe,	Mr. Warner,
Mr. Campbell,	Mr. Halſey,	Mr. Ogden,	Mr. Weſt,
Mr. Carman,	Mr. Hatfield,	Mr. Robins,	Mr. Wheeler,
Mr. Clark,	Mr. Henry,	Mr. Savage,	Mr. Wood.

For the Affirmative.

Mr. Bevier,	Mr. Coryell,	Mr. Pearſall,	Mr. P. I. Schuyler,
Mr. Bowen,	Mr. Dewey,	Mr. Potter,	Mr. Thomas,
Mr. Bowman,	Mr. Gettman,	Mr. Prince,	Mr. Vandervoort,
Mr. Brown,	Mr. M'Farlan,	Mr. Reeve,	Mr. Verplank,
Mr. Clift,	Mr. Metcalfe,	Mr. Rice,	Mr. Wendell.
Mr. Cornwell,	Mr. Miller,		

Thereupon, *Reſolved*, That this houſe do concur with the the Hon. the Senate in all their amendments to the ſaid bill, except the one which propoſes to annex the town of Catſkill to the county of Ulſter, and do not concur in that amendment.

Ordered, That Mr. P. P. Schuyler and Mr. Skidmore deliver the bill, amendments, and a copy of the preceding reſolution, to the Hon. the Senate.

Mr. Robins, from the ſelect committee to whom was committed the bill entitled "*An act concerning certain ſtreets, wharves and piers, and the alms-houſe and bridewell, in the city of New-York*," reported, that the committee had gone through the bill without amendment, which he was directed to report to the Houſe, and he read the report in his place and delivered the ſame in at the table, where it was again read and agreed to by the houſe.

By unanimous conſent the ſaid bill was read the third time.

Reſolved, That the bill do paſs.

Ordered, That Mr. P. P. Schuyler and Mr. Skidmore deliver the bill to the Hon. the Senate, and inform them that this houſe have paſſed the bill without amendment.

Mr. Metcalfe, from the ſelect committee to whom was committed the bill entitled "*An act concerning the civil relations and eſtates of perſons ſentenced to impriſonment for life*," reported, that the committee had gone through the bill and made amendments, which he was directed to report to the houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read: Thereupon,

Ordered, That the ſaid bill be recommitted to a committee of the whole Houſe.

A copy of a reſolution of the Hon. the Senate, delivered by Mr. Coe and Mr. rey, was read, that the Senate do not concur with this houſe in their reſolution as ntered on the journals this day, relative to the appointment of a joint committee of oth Houſes to examine what part of the unfiniſhed buſineſs now before the Legiſla- re is neceſſary to be taken up and completed the preſent ſeſſion.

The Hon. the Senate returned by Mr. Coe and Mr. Frey, the bill entitled "*An act veſt certain powers in the freeholders and inhabitants of the village commonly known by e name of Old Fort Schuyler.*"

Ordered, That Mr. A. Smith and Mr. T. Smith deliver the bill to the Hon. the ouncil of Reviſion.

A meſſage from the Hon. the Council of Reviſion, delivered by the Hon. Mr. Juſ- ce Benſon, with the bills therein reſpectively mentioned, was read, and is in the ords following, viz.

In Council of Reviſion, April 2d, 1798.

The Council find themſelves conſtrained by the ſame reaſons and principles which n various preceding occaſions compelled them to object to former tax bills, to con- der it as improper that the following bills ſhould become laws of this State, to wit, e bill entitled "*An act to raiſe a ſum of money to finiſh and repair the court-houſe and ol in Queen's county*," the bill entitled "*An act to authorize the raiſing a ſum of money r making certain neceſſary accommodations for the gaol, and certain repairs for the court uſe in the county of Renſſelaer*," the bill entitled "*An act to raiſe a ſum of money for build- g a court-houſe and goal in Delaware county, and for other purpoſes therein mentioned*," d the bill entitled "*An act for building a court-houſe and gaol in the county of Scho- rie.*" Being convinced that the ſpirit of our conſtitution and of every free govern- ent demands that the citizens ſhould be taxed by fixed rules, and not at the diſcre- n of any individual, they think it their duty to reiterate their former objections.

JOHN JAY.

The ſaid objections having been read and conſidered, and the ſaid bills having en reſpectively read and reconſidered, Mr. Speaker put the queſtion, whether the d bills, notwithſtanding the objections of the Hon. the Council of Reviſion to the me, ſhould ſeverally become laws of this State, and it was carried in the affirmative a majority of more than two thirds of the Members preſent. Thereupon,

Reſolved, That the ſaid bills ſeverally, notwithſtanding the objections of the Hon. Council of Reviſion to the ſame, become laws of this State.

Ordered, That Mr. T. Smith and Mr. J. Smith deliver the ſaid bills, objections, a copy of the preceding reſolution, to the Hon. the Senate.

A meſſage from the Hon. the Council of Reviſion, alſo delivered by the Hon. Mr. ſtice Benſon, was read, that it does not appear improper to the Council that the entitled "*An act to incorporate the Stockholders of the New-York Inſurance Company*," uld become a law of this State."

A meſſage from the Hon. the Council of Reviſion, delivered by the Hon. the ancellor, was read, that it does not appear improper to the Council that the bill itled "*An act to regulate the returning and impannelling of Jurors for the trial of Iſ-* ," and the bill entitled "*An act to veſt certain powers in the freeholders and inhabitants he village commonly known by the name of Old Fort Schuyler*," ſhould ſeverally become s of this State.

Mr. Benton, from the committee of the whole houſe on the meſſages of his Excel- y the Governor of the 5th and 21ſt of March laſt, relative to fortifying the port harbor of New-York, reported the proceedings of the committee to have been as ows, viz. That after the ſaid meſſages and papers had been read in the com- ee, Mr. Burr made a motion, that the committee ſhould agree to a reſolution in words following, viz.

eſolved, as the ſenſe of this committee, That proviſion ought to be made by law he purchaſe of more heavy cannon.

hat Mr. Bird made motion, that the previous queſtion ſhould be taken on the reſolution.

hat the Chairman put the queſtion, ſhall the main queſtion be now put, which d in the negative. The yeas and nays being taken on motion of Mr. Fairlie, ded by Mr. Clinton, were as follows, viz.

For the Negative.

Mr. Adams,	Mr. Coryell,	Mr. Maſon,	Mr. N. Smith,
Mr. Baldwin,	Mr. Deitz,	Mr. M'Farlan,	Mr. T. Smith,
Mr. Bevier,	Mr. J. A. De Witt,	Mr. Metcalfe,	Mr. Snell,
Mr. Bird,	Mr. J. C. De Witt,	Mr. Morſe,	Mr. Teed,
Mr. Bowen,	Mr. Dewey,	Mr. Ogden,	Mr. Ten Broeck,
Mr. Brown,	Mr. Fort,	Mr. Potter,	Mr. Thomas,
Mr. Bruyn,	Mr. Gettman,	Mr. Prince,	Mr. Jeſſe Thompſon,
Mr. Campbell,	Mr. Gregory,	Mr. Rice,	Mr. Joel Thompſon,
Mr Clark,	Mr. Hall,	Mr. Savage,	Mr. Vandervoort,
Mr. Clift,	Mr. Holly,	Mr. P. I. Schuyler,	Mr. Van Alſtyne,
Mr. Coe,	Mr. Holt,	Mr. P. P. Schuyler,	Mr. Wendell,
Mr. Comſtock,	Mr. Horton,	Mr. J. Smith,	Mr. Wheeler.
Mr. Cornwell,			

For the Affirmative.

Mr. Arcularius,	Mr. Clinton,	Mr. Howard,	Mr. Robins,
Mr. Barber,	Mr. De la Montagnie,	Mr. Jenkins,	Mr. Skidmore,
Mr. J. Barker,	Mr. Fairlie,	Mr. M'Cord,	Mr. A. Smith,
Mr. W. Barker,	Mr. Foot,	Mr. M'Neal,	Mr. Storm,
Mr. Bowman,	Mr. Halſey,	Mr. Micheau,	Mr. Speaker,
Mr. Boyd,	Mr. Hatfield,	Mr. Miller,	Mr. Verplank,
Mr. Burr,	Mr. Henry,	Mr. Mitchell,	Mr. Warner,
Mr. Burt,	Mr. J. Hogeboom,	Mr. Pearſall,	Mr. Williamſon,
Mr. Carman,	Mr. K. Hogeboom,	Mr. Reeve,	Mr. Wood.

That in proceeding further, Mr. Burr made a motion, that the committee ſhou agree to a reſolution, which was read, and is in the words following, viz.

Reſolved, as the ſenſe of this committee, That the further ſum of dolla be appropriated for putting the city and port of New-York in a better ſtate of d fence, to be laid out under the direction and at the diſcretion of the perſon admi tering the government of this State, either in improving the fortifications lately co menced in the vicinity of the ſaid city, or in ſuch other way as may, in his opinio beſt promote the purpoſe aforeſaid; and that it be in the diſcretion of the per adminiſtering the government of this State to expend the whole or any part of t ſum aforeſaid.

The queſtion being put, whether the committee did agree thereto, it paſſed in t negative. The yeas and nays being taken on motion of Mr. Fairlie, ſeconded Mr. Mitchell, were as follows, viz.

For the Negative.

Mr. Baldwin,	Mr. J. C. De Witt,	Mr. Jenkins,	Mr. T. Smith,
Mr. W. Barker,	Mr. Dewey,	Mr. Maſon,	Mr. Snell,
Mr. Bevier,	Mr. Fonda,	Mr. M'Neal,	Mr. Teed,
Mr. Bird,	Mr. Fort,	Mr. Metcalfe,	Mr. Ten Broeck,
Mr. Brown,	Mr. Gettman,	Mr. Morſe,	Mr. Thomas,
Mr. Campbell,	Mr. Gregory,	Mr. Ogden,	Mr. Jeſſe Thompſon,
Mr. Clark,	Mr. Hall,	Mr. Potter,	Mr. Joel Thompſon,
Mr. Coe,	Mr. Halſey,	Mr. Rice,	Mr. Van Alſtyne,
Mr. Comſtock,	Mr. Henry,	Mr. Savage,	Mr. Wendell,
Mr. Coryell,	Mr. J. Hogeboom,	Mr. P. P. Schuyler,	Mr. Weſt,
Mr. Deitz,	Mr. Holt,	Mr. J. Smith,	Mr. Wheeler.
Mr. J. A. De Witt,	Mr. Horton,	Mr. N. Smith,	

For the Affirmative.

Mr. Arcularius,	Mr. Carman,	Mr. Howard,	Mr. A. Smith,
Mr. Barber,	Mr. Clift,	Mr. M'Cord,	Mr. Storm,
Mr. Bowen,	Mr. Clinton,	Mr. Micheau,	Mr. Speaker,
Mr. Bowman,	Mr. De la Montagnie,	Mr. Mitchell,	Mr. Vandervoort,
Mr. Boyd,	Mr. Fairlie,	Mr. Pearſall,	Mr. Verplank,
Mr. Bruyn,	Mr. Foot,	Mr. Reeve,	Mr. Warner,
Mr. Burr,	Mr. Hatfield,	Mr. Robins,	Mr. Williamſon,
Mr. Burt,	Mr. Holly,	Mr. Skidmore,	Mr. Wood.

Mr. Benton further reported, that the committee had agreed to ſeveral reſolu which he was directed to report to the houſe, and he read the report in his place, delivered the ſame in at the table, where the ſame was again read and agree by the houſe. Thereupon,

Reſolved, That proviſion ought to be made by law for the following objects:

For mounting of the cannon now on hand.

For the purchaſe of ammunition and military ſtores.

For the purchaſe of ſtand of arms and accoutrements for the m of this State.

Reſolved, That a commiſſioner be appointed by the Council of Appointme carry the foregoing reſolutions into effect, under the direction of the perſon adm tering the government of this State.

Resolved, That a committee be appointed to prepare a bill, or bills, for the purposes aforesaid; and that Mr. Burr, Mr. Metcalfe and Mr. Wood, be of the said committee.

A motion was made that the House adjourn.

Mr. Speaker put the question, whether the House did agree to the said motion, and it was carried in the affirmative. The yeas and nays being taken on motion of Mr. J. Hogeboom, seconded by Mr. A. Smith, were as follows, viz.

For the Affirmative.

Mr. Arcularius,	Mr. Comstock,	Mr. Holt,	Mr. T. Smith,
Mr. Baldwin,	Mr. Coryell,	Mr. Horton,	Mr. Snell,
Mr. Benton,	Mr. Deitz,	Mr. Howard,	Mr. Storm,
Mr. Bowen,	Mr. De la Montagnie,	Mr. Jenkins,	Mr. Ten Broeck,
Mr. Bowman,	Mr. J. A. De Witt,	Mr. M'Neal,	Mr. Thomas,
Mr. Boyd,	Mr. Dewey,	Mr. Mitchell,	Mr. Joel Thompson,
Mr. Brown,	Mr. Fairlie,	Mr. Morse,	Mr. Verplank,
Mr. Bruyn,	Mr. Foot,	Mr. Ogden,	Mr. Warner,
Mr. Burr,	Mr. Gettman,	Mr. Prince,	Mr. Wendell,
Mr. Burt,	Mr. Gregory,	Mr. Rice,	Mr. West,
Mr. Campbell,	Mr. Hall,	Mr. Robins,	Mr. Wheeler,
Mr. Clark,	Mr. Hatfield,	Mr. Savage,	Mr. Williamson,
Mr. Clift,	Mr. Henry,	Mr. P. P. Schuyler,	Mr. Wood. 54
Mr. Clinton,	Mr. Holly,		

For the Negative.

Mr. Barber,	Mr. J. C. De Witt,	Mr. Metcalfe,	Mr. J. Smith,
Mr. W. Barker,	Mr. Fonda,	Mr. Micheau,	Mr. N. Smith,
Mr. Bevier,	Mr. Fort,	Mr. Pearsall,	Mr. Teed,
Mr. Bird,	Mr. Halsey,	Mr. Potter,	Mr. Jesse Thompson,
Mr. Carman,	Mr. J. Hogeboom,	Mr. Reeve,	Mr. Vandervoort,
Mr. Coe,	Mr. K. Hogeboom,	Mr. Skidmore,	Mr. Van Alstyne. 27
Mr. Cornwell,	Mr. M'Cord,	Mr. A. Smith,	

Then the House adjourned until ten o'clock to-morrow morning.

Wednesday, ten o'clock, A. M. April 4th, 1798.

The bill entitled "*An act to amend the act entitled "An act for the relief of Nathaniel Gallory and others,*" was read the third time.

Resolved, That the bill do pass.

Ordered, That Mr. T. Smith and Mr. J. Smith deliver the bill to the Hon. the Senate, and inform them that this house have passed the bill without amendment.

The bill entitled "*An act relative to judgments and bail in the Supreme Court of Judicature of this State,*" with the engrossed amendments, was read the third time.

Resolved, That the bill do pass.

Ordered, That Mr. T. Smith and Mr. J. Smith deliver the bill to the Hon. the Senate, and inform them that this house have passed the bill with the amendments herewith delivered.

The bill entitled "*An to revive the act entitled "An act for the relief of the Examiner in Chancery,*" was read a second time and committed to a committee of the whole house.

Ordered, That the committee of the whole house be discharged from the further consideration of the said bill, and that the same be committed to a select committee consisting of Mr. Clinton, Mr. Bowman and Mr. Baldwin.

The house proceeded to the consideration of the amendments to the Hon. the Senate, to the bill entitled "*An act to establish a turnpike corporation for improving the road from the springs in Lebanon to the city of Albany.*" The bill and amendments were read, and the amendments being read a second time, were concurred in by the house and the bill amended accordingly.

Ordered, That Mr. Vandervoort and Mr. Van Alstyne deliver the bill to the Hon. the Senate, and inform them that this house have concurred in their amendments to the bill, and have amended the same accordingly.

A meſſage from the Hon. the Senate, delivered by Mr. Gold and Mr. Ganſevoort, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "*An act concerning the bridge over the Mohawk River below the Cohoes falls,*" to which they requeſt the concurrence of this Houſe.

The ſaid bill was read the firſt time and ordered a ſecond reading.

By unanimous conſent the ſaid bill was read the ſecond time, and committed to a committee of the whole Houſe.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Gold and Mr. Ganſevoort, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "*An act to exonerate certain perſons from paying arrears of quit rents,*" with the amendments therewith delivered. The bill and amendments were read, and the amendments being read a ſecond time, were concurred in by the houſe, and the bill amended accordingly.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Gold and Mr. Ganſevoort, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "*An act for opening the navigation between Lake Erie and Lake Ontario,*" with the amendments therewith delivered. The bill and amendments were read, and the amendments being read a ſecond time, were concurred in by the houſe, and the bill amended accordingly.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Gold and Mr. Ganſevoort, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "*An act to authorize the raiſing a ſum of money for repairing the court-houſe and gaol in the county of Columbia,*" with the amendments therewith delivered. The bill and amendments were read, and the amendments being read a ſecond time, were concurred in by the houſe, and the bill amended accordingly.

Ordered, That Mr. Vandervoort and Mr. Van Alſtyne deliver the four laſt mentioned bills to the Hon. the Senate, and inform them that this Houſe have concurred in their amendments to the ſaid bills and have amended the ſame accordingly.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Gold and Mr. Ganſevoort, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "*An act for the relief of the repreſentatives of Hannah Armſtrong, deceaſed,*" with the amendments therewith delivered.

Ordered, That the conſideration of the ſaid amendments be poſtponed.

Two ſeveral meſſages from the Hon. the Senate, alſo delivered by Mr. Gold and Mr. Ganſevoort, with the bills therein reſpectively mentioned, were read, that the Senate have paſſed the bill entitled "*An act to aſcertain the boundary line between Queensbury and Weſtfield,*" and the bill entitled "*An act to preſerve and ſupport the juriſdiction of this State,*" ſeverally without amendment.

Ordered, That Mr. Fairlie and Mr. Storm deliver the two laſt mentioned bills to the Hon. the Council of Reviſion.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Gold and Mr. Ganſevoort, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "*An act to cede the juriſdiction of a certain tract of land on Eaton's Neck to the United States,*" with the amendments therewith delivered. The bill and amendments were read, and the amendments being read a ſecond time, thereupon

Reſolved, That this Houſe do not concur with the Hon. the Senate in their amendments to the ſaid bill.

Ordered, That Mr. Jeſſe Thompſon and Mr. Iſrael Thompſon deliver the bill, amendments, and a copy of the preceding reſolution, to the Hon. the Senate.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Gold and Mr. Ganſevoort, with the bill therein mentioned, was read, that the Senate do adhere to their amendment to the bill entitled "*An act to erect part of the counties of Ulſter and Orange into a ſeparate county,*" which was not concurred in by this Houſe.

Mr. Speaker put the queſtion, whether the Houſe did recede from their reſolution of non-concurrence to the ſaid amendment, and it was carried in the affirmative. The yeas and nays being taken on motion of Mr. Bruyn, ſeconded by Mr. Bowman, were as follows, viz.

For the Affirmative.

Mr. Adams,	Mr. Fairlie,	Mr. M'Farlan	Mr. Savage,
Mr. Arcularins,	Mr. Fonda,	Mr. M'Neal,	Mr. P. I. Schuyler,
Mr. J. Barker,	Mr. Foot,	Mr. Metcalfe,	Mr. P. P. Schuyler,
Mr. Bowen,	Mr. Fort,	Mr. Micheau,	Mr. Skidmore,
Mr. Bowman,	Mr. Gettman,	Mr. Miller,	Mr. Snell,
Mr. Brown,	Mr. Hall,	Mr. Mitchell,	Mr. Storm,
Mr. Burt,	Mr. Halsey,	Mr. Morse,	Mr. Thomas,
Mr. Carman,	Mr. Hatfield,	Mr. Ogden,	Mr. Jesse Thompson,
Mr. Clark,	Mr. Henry,	Mr. Pearsall,	Mr. Vandervoort,
Mr. Clift,	Mr. Holt,	Mr. Potter,	Mr. Van Alstyne,
Mr. Cornwell,	Mr. Horton,	Mr. Prince,	Mr. Verplank,
Mr. Coryell,	Mr. Howard,	Mr. Pride,	Mr. Wendell,
Mr. Deitz,	Mr. Hunt,	Mr. Reeve,	Mr. Wheeler. 55
Mr. Dewey,	Mr. Mason,	Mr. Rice,	

For the Negative.

Mr. Barber,	Mr. Clinton,	Mr. J. Hogeboom,	Mr. A. Smith,
Mr. W. Barker,	Mr. Coe,	Mr. K. Hogeboom,	Mr. Teed,
Mr. Bevier,	Mr. Comstock,	Mr. Holly,	Mr. Ten Broeck,
Mr. Bruyn,	Mr. De la Montagnie,	Mr. Jenkins,	Mr. Joel Thompson,
Mr. Burr,	Mr. J. A. De Witt,	Mr. M'Cord,	Mr. West, 23.
Mr. Burling,	Mr. J. C. De Witt,		

Thereupon, *Resolved*, That this House do recede from their resolution of non-concurrence to the said amendment, adhered to by the Hon. the Senate.

Ordered, That Mr. Vandervoort and Mr. Van Alstyne deliver the bill to the Hon. the Senate, and inform them that this House have amended the said bill pursuant to their amendments, which were concurred in by this House.

A copy of a resolution of the Hon. the Senate, also delivered by Mr. Gold and Mr. Ganfevoort, was read, that the Senate do concur with this House in their resolution as entered on the journals of this House on the second instant, authorizing the Supreme Court to appoint three referees to settle the accounts between this State and John Lamb, late collector of the port of New-York.

A copy of a resolution of the Hon. the Senate, also delivered by Mr. Gold and Mr. Ganfevoort, was read, that the Senate do not concur with this House in their resolution as entered on the journals of this House on the second instant, directing the Attorney-General to defend the suit instituted against Thomas M'Gee by Gerrit H. Van Wagenen, relative to a certain farm purchased by the said M'Gee of the commissioners of forfeitures for the Eastern District of this State.

A copy of a resolution of the Hon. the Senate, also delivered by Mr. Gold and Mr. Ganfevoort, was read, and is in the words following, viz.

Resolved, That the bill entitled "*An act to amend the act entitled "An act for suppressing immorality,*" passed the 23d day of February, 1788, notwithstanding the objections of the Hon. the Council of Revision to the same, become a law of this State.

A message from the Hon. the Council of Revision, transmitted to this house by the Hon. the Senate, was read, that it does not appear improper to the Council that the bill entitled "*An act to enable aliens to purchase and hold real estates within this State under certain restrictions therein mentioned,*" the bill entitled "*An act relative to lands on the Niagara River belonging to the people of this State,*" and the bill entitled "*An act extending the period for receiving the claims to the money paid into the treasury of this State by the State of Vermont,*" should severally become laws of this State.

Mr. Clinton, from the select committee to whom was committed the bill entitled "*An act to revive the act entitled "An act for the relief of the Examiner in Chancery,*" reported, that the committee had gone through the bill without amendment, which he was directed to report to the house, and he read the report in his place, and delivered the same in at the table, where it was again read and agreed to by the house.

By unanimous consent the said bill was read the third time.

Resolved, That the bill do pass.

Ordered, That Mr. Snell and Mr. Storm deliver the said bill to the Hon. the Senate, and inform them that this house have passed the bill without amendment.

Mr. Burr, from the committee appointed for that purpoſe, brought in a bill entitled "*An act to provide arms, accoutrements and military ſtores,*" which was read the firſt time and ordered a ſecond reading.

By unanimous conſent the ſaid bill was read a ſecond time and committed to a committee of the whole houſe.

Mr. Maſon, from the committee of the whole houſe, on the bill entitled "*An act concerning the bridge over the Mohawk River below the Cohoes Falls,*" reported, that the committee had gone through the bill and made amendments, which he was directed to report to the Houſe, and he read the report in his place and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

Ordered, That the amendments be engroſſed.

Two ſeveral meſſages from the Hon. the Senate, delivered by Mr. Gold and Mr. Gordon, with the bills therein reſpectively mentioned, were read, that the Senate have paſſed the bill entitled "*An act ſubjecting goods ſold at auction to an additional duty for the ſupport of the foreign poor in the city of New-York,*" and the bill entitled "*An act regulating the liberties of gaols,*" ſeverally without amendment.

Ordered, That Mr. Fairlie and Mr. Storm deliver the two laſt mentioned bills to the Hon. the Council of Reviſion.

The Hon. the Senate returned by Mr. Gold and Mr. Gordon the bill entitled "*An act to eſtabliſh a turnpike corporation for improving the State road from the houſe of John Weaver in Watervliet, to Cherry Valley.*"

Ordered, That Mr. Ten Broeck and Mr. Thomas deliver the ſaid bill to the Hon. the Council of Reviſion.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Gold and Mr. Gordon, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "*An act for the ſale of certain lands in the Oneida reſervation,*" with the amendments therewith delivered, the bill and amendments were read, and the amendments being read a ſecond time, were concurred in by the houſe and the bill amended accordingly.

Ordered, That Mr. Vandervoort and Mr. Van Alſtyne deliver the bill to the Hon. the Senate, and inform them that this houſe have concurred in their amendments to the bill and have amended the ſame accordingly.

The bill entitled "*An act concerning the bridge over the Mohawk River below the Cohoes Falls,*" with the engroſſed amendments was read the third time.

Reſolved, That the bill do paſs.

Ordered, That Mr. Teed and Mr. Ten Broeck deliver the bill to the Hon. the Senate, and inform them that this houſe have paſſed the bill with the amendments therewith delivered.

Mr. J. Hogeboom, from the committee of the whole houſe on the bill entitled "*An act relative to the goſpel and ſchool lots in the town of Sherburne in the county of Herkemer,*" reported, that the committee had gone through the bill, made amendments and altered the title, that the altered title is "*An act relative to the goſpel and ſchool lots in the town of Sherburne in the county of Chenango,*" which he was directed to report to the houſe, and he read the report in his place and delivered the ſame in at the table, where it was again read and agreed to by the houſe.

Ordered, That the bill be engroſſed.

Mr. Hunt moved for, and by unanimous conſent obtained leave to bring in a bill, entitled "*An act further to continue in force an act entitled "An act for increaſing the compenſation to the meaſurer of grain and inſpectors of flour and meal in this State,*" which was read the firſt time and ordered a ſecond reading.

By unanimous conſent the ſaid bill was read a ſecond time and committed to a committee of the whole houſe.

The houſe proceeded to the conſideration of the reſolution of the Hon. the Senate, as entered on the journals of this houſe on the 27th of March laſt, relative to the adjournment of the Legiſlature.

Mr. Speaker put the queſtion, whether the houſe did concur with the Hon. the Senate in their ſaid reſolution, and it paſſed in the negative. Thereupon,

Reſolved, That this houſe do not concur with the Hon. the Senate in their ſaid reſolution.

Ordered, That Mr. Thomas and Mr. Jeſſe Thompſon deliver a copy of the preceding reſolution of non-concurrence to the Hon. the Senate.

The Hon. the Senate returned by Mr. Gordon and Mr. Graham, the bill entitled *"An act to authorize the raiſing a ſum of money for repairing the court-houſe and gaol in the county of Columbia."*

Ordered, That Mr. Joel Thompſon and Mr. Vandervoort deliver the ſaid bill to the Hon. the Council of Reviſion.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Gordon and Mr. Graham, with the bill therein mentioned, was read, that the Senate do not concur in the firſt and do concur in the laſt amendment of this Houſe to the bill entitled *"An act concerning the bridge over the Mohawk River below the Cohoes falls."* Thereupon,

Reſolved, That this Houſe do recede from their amendment to the ſaid bill not concurred in by the Hon. the Senate.

Ordered, That Mr. Jeſſe Thompſon and Mr. Iſrael Thompſon deliver the bill, amendments, and a copy of the preceding reſolution, to the Hon. the Senate.

A copy of a reſolution of the Hon. the Senate, alſo delivered by Mr. Gold and Mr. Graham, was read; and is in the words following, viz.

Reſolved, (if the Hon. the Aſſembly concur herein) That the Legiſlature will adjourn on Friday next.

Reſolved, That this Houſe do concur with the Hon. the Senate in their ſaid preceding reſolution.

Ordered, That Mr. Jeſſe Thompſon and Mr. Iſrael Thompſon deliver a copy of the preceding reſolution of concurrence to the Hon. the Senate.

The engroſſed bill entitled *"An act authorizing the arreſt of ſhips and veſſels for debts contracted by the maſter, owner or conſignee, for and on account of ſuch ſhips and veſſels in this State,"* was read the third time.

Reſolved, That the bill do paſs.

Ordered, That Mr. Jeſſe Thompſon and Mr. Iſrael Thompſon deliver the bill to the Hon. the Senate, and requeſt their concurrence.

Mr. Jenkins, from the committee of the whole Houſe, on the bill entitled *"An act eſtabliſhing the Secretary's office at the city of Albany,"* reported, that after the ſaid bill had been read in the committee, Mr. Wood made a motion, that the ſaid bill ſhould be rejected; that debates were had thereon, and the queſtion being put, whether the committee did agree to the motion of Mr. Wood, it was carried in the affirmative. The yeas and nays being taken on motion of Mr. Fairlie, ſeconded by Mr. Mitchell, were as follows, viz.

For the Affirmative.

Mr. Arcularius,	Mr. Cornwell,	Mr. K. Hogeboom,	Mr. Reeve,
Mr. Barber,	Mr. Coryell,	Mr. Holly,	Mr. Robins,
Mr. Boyd,	Mr. J. A. De Witt,	Mr. Howard,	Mr. Skidmore,
Mr. Brown,	Mr. J. C. De Witt,	Mr. Hunt,	Mr. A. Smith,
Mr. Burr,	Mr. Fairlie,	Mr. M'Cord,	Mr. Storm,
Mr. Burling,	Mr. Fonda,	Mr. Micheau,	Mr. Teed,
Mr. Burt,	Mr. Hall,	Mr. Miller,	Mr. Ten Broeck,
Mr. Carman,	Mr. Halſey,	Mr. Mitchell,	Mr. Jeſſe Thompſon,
Mr. Clinton,	Mr. Hatfield,	Mr. Moffet,	Mr. Verplank,
Mr. Coe,	Mr. J. Hogeboom,	Mr. Pearſall,	Mr. Wood. 40

For the Negative.

Mr. Baldwin,	Mr. Foot,	Mr. M'Farlan,	Mr. T. Smith,
Mr. W. Barker,	Mr. Fort,	Mr. Ogden,	Mr. Snell,
Mr. Benton,	Mr. Gertman,	Mr. Prince,	Mr. Speaker,
Mr. Bevier,	Mr. Gregory,	Mr. Pride,	Mr. Thomas,
Mr. Bowen,	Mr. Heermance,	Mr. Rice,	Mr. Iſrael Thompſon,
Mr. Campbell,	Mr. Henry,	Mr. Savage,	Mr. Joel Thompſon,
Mr. Clark,	Mr. Hoag,	Mr. P. I. Schuyler,	Mr. Wendell,
Mr. Clift,	Mr. Horton,	Mr. P. P. Schuyler,	Mr. Weſt,
Mr. Comſtock,	Mr. Maſon,	Mr. N. Smith,	Mr. Wheeler. 36

which he was directed to report to the Houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the Houſe. Thereupon,

Reſolved, That the ſaid bill be, and it is hereby rejected.

A meſſage from the Hon. the Senate, delivered by Mr. Graham and Mr. Haight, with the bill therein mentioned, was read, that the Senate have paſſed the bill enti-

tled "*An act relative to the Clerk's office in the county of Herkemer,*" to which they request the concurrence of this Houſe. The ſaid bill was read the firſt time and ordered a ſecond reading.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Graham and Mr. Haight, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "*An act to enable certain perſons therein named to purchaſe and hold real eſtate within this State,*" with the amendments therewith delivered. The bill and amendments were read, and the amendments being read a ſecond time, were concurred in by the Houſe, and the bill amended accordingly.

Ordered, That Mr. Vandervoort and Mr. Van Alſtyne deliver the bill to the Hon. the Senate, and inform them that this Houſe have concurred in their amendments to the ſaid bill and have amended the ſame accordingly.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Graham and Mr. Haight, with the bill therein mentioned, was read, that the Senate have concurred in the amendments of this houſe to the bill entitled "*An act concerning the bridge over the Mohawk River below the Cohoes Falls,*" and have amended the bill accordingly.

Ordered, That Mr. Joel Thompſon and Mr. Vandervoort return the bill to the Hon. the Senate.

A meſſage from the Hon. the Council of Reviſion, tranſmitted to this houſe by the Hon. the Senate, was read, that it does not appear improper to the Council that the bill entitled "*An act to amend the act entitled "An act for the relief of John B. Coles, and to provide for laying out new roads,*" the bill entitled "*An act for the relief of Joſeph Mabee and others, entitled to the right of pre-emption of lands in the Oneida reſervation,*" the bill entitled "*An act providing for the regiſtry of deeds in certain counties therein mentioned,*" and the bill entitled "*An act concerning certain ſtreets, wharves and piers near the alms-houſe and bridewell in the city of New-York,*" ſhould ſeverally become laws of this State.

Mr. Jenkins, from the committee of the whole houſe on the bill entitled "*An act concerning the Circuit Courts and Courts of Oyer and Terminer and Gaol Delivery,*" reported, that the firſt enacting clauſe of the ſaid bill was read, and is in the words following, viz.

Be it enacted by the people of the State of New-York repreſented in Senate and Aſſembly, That the Juſtices of the Supreme Court ſhall permanently appoint the times of holding the Circuit Courts, but they may, nevertheleſs, alter the ſame from time to time as they ſhall judge moſt for the public convenience: Provided that no alteration ſhall take effect, until at leaſt one term of the ſaid court ſhall have intervened between the term when the alteration ſhall have been made and the time when the firſt Circuit Court to be held according thereto, ſhall be held; and provided further, that no ſuch Circuit Court ſhall be appointed as aforeſaid, to be holden in any county at the ſame time that any other court ſhall by appointment of law be holden in the ſame county, the city and county of New-York, and the counties of Queens, King's, Richmond and Suffolk excepted. And that the Clerks of the Supreme Court ſhall forthwith from time to time cauſe every rule or order of the Supreme Court appointing the times for holding the Circuit Courts, or for altering the ſame as the caſe may be, to be publiſhed in at leaſt two of the newſpapers printed in the cities of New-York and Albany.

That debates were had thereon, and the queſtion being put whether the committee did agree thereto, it paſſed in the negative. The yeas and nays being taken on motion of Mr. Fairlie, ſeconded by Mr. J. Hogeboom, were as follows, viz.

For the Negative.

Mr. Adams,	Mr. Fort,	Mr. M'Cord,	Mr. Skidmore,
Mr. Barber,	Mr. Hall,	Mr. M'Neal,	Mr. N. Smith,
Mr. J. Barker,	Mr. Heermance,	Mr. Micheau,	Mr. T. Smith,
Mr. Benton,	Mr. Hoag,	Mr. Ogden,	Mr. Snell,
Mr. Bird,	Mr. J. Hogeboom,	Mr. Pearſall,	Mr. Teed,
Mr. Bowen,	Mr. K. Hogeboom,	Mr. Pride,	Mr. Vandervoort,
Mr. Burt,	Mr. Holly,	Mr. Reeve,	Mr. Verplank,
Mr. Carman,	Mr. Horton,	Mr. Rice,	Mr. Wendell,
Mr. Clift,	Mr. Howard,	Mr. Savage,	Mr. Weſt.
Mr. Cornwell,	Mr. Maſon,		

For the Affirmative,

Mr. Arcularius,	Mr. Campbell,	Mr. Mitchell,	Mr. Storm,	
Mr. W. Barker,	Mr. Coe,	Mr. Moffet,	Mr. Speaker,	
Mr. Boyd,	Mr. De la Montagnie,	Mr. Robins,	Mr. Iſrael Thompſon,	
Mr. Bruyn,	Mr. Fairlie,	Mr. P. P. Schuyler,	Mr. Williamſon,	
Mr. Burr,	Mr. Halſey,	Mr. A. Smith,	Mr. Wood,	22
Mr. Burling,	Mr. Hunt,			

Mr. Jenkins further reported, that the committee had gone through the bill and made amendments, which he was directed to report to the houſe, and he read the report in his place and delivered the ſame in at the table, where it was again read and agreed to by the houſe.

Ordered, That the amendments be engroſſed.

Two ſeveral meſſages from the Hon. the Council of Reviſion, delivered by the Hon. Mr. Chief Juſtice Lanſing, were read, that it does not appear improper to the Council that the bill entitled "*An act to eſtabliſh a turnpike corporation for improving the State road from the houſe of John Weaver in Watervliet, to Cherry Valley,*" the bill entitled "*An act to aſcertain the boundary line between Queenſbury and Weſtfield,*" the bill entitled "*An act ſubjecting goods ſold at auction to an additional duty for the ſupport of the foreign poor in the city of New-York,*" and the bill entitled "*An act to prevent the evils ariſing from the diſſolution of any religious corporation within this State,*" ſhould ſeverally become laws of this State.

Mr. Fairlie, from the committee of the whole houſe on the bill entitled "*An act regulating the future meetings of the Legiſlature,*" reported, that the firſt enacting clauſe of the ſaid bill was read, and is in the words following, viz.

Be it enacted by the people of the State of New-York repreſented in Senate and Aſſembly, That in caſe the perſon adminiſtering the government of this State for the time being, ſhall not on or after the firſt Monday of July, and before the laſt Tueſday in January in any year, convene the Legiſlature by proclamation, then the Legiſlature ſhall meet on the ſaid laſt Tueſday of January, without any ſummons or notification whatſoever, at ſuch place as the Senate and Aſſembly at their meeting next preceding the ſaid laſt Tueſday of January, ſhall have adjourned to; and in caſe there ſhall have been no ſuch adjournment, or the Senate and Aſſembly ſhall not have adjourned to a place certain, then they ſhall convene on the ſaid laſt Tueſday of January then next at the city of Albany.

The queſtion being put whether the committee did agree thereto, it was carried in the affirmative. The yeas and nays being taken on motion of Mr. Reeve, ſeconded by Mr. Burt, were as follows, viz.

For the Affirmative.

Mr. Adams,	Mr. Coe,	Mr. Hunt,	Mr. Skidmore,	
Mr. Arcularius,	Mr. Cornwell,	Mr. Jenkins,	Mr. A. Smith,	
Mr. Barber,	Mr. De la Montagnie,	Mr. M'Cord,	Mr. J. Smith,	
Mr. W. Barker,	Mr. Foot,	Mr. Micheau,	Mr. T. Smith,	
Mr. Boyd,	Mr. Gettman,	Mr. Mitchell,	Mr. Storm,	
Mr. Bruyn,	Mr. Gregory,	Mr. Moffet,	Mr. Iſrael Thompſon,	
Mr. Burling,	Mr. Halſey,	Mr. Pearſall,	Mr. Jeſſe Thompſon,	
Mr. Burt,	Mr. Hatfield,	Mr. Reeve,	Mr. Joel Thompſon,	
Mr. Carman,	Mr. Holly,	Mr. Robins,	Mr. Vanderwoort,	
Mr. Clift,	Mr. Horton,	Mr. Savage,	Mr. Verplank,	
Mr. Clinton,	Mr. Howard,	Mr. P. I. Schuyler,	Mr. Williamſon,	44

For the Negative.

Mr. J. Barker,	Mr. Comſtock,	Mr. J. Hogeboom,	Mr. N. Smith,	
Mr. Benton,	Mr. Deitz,	Mr. K. Hogeboom,	Mr. Speaker,	
Mr. Bird,	Mr. Dewey,	Mr. Holt,	Mr. Teed,	
Mr. Bevier,	Mr. Fonda,	Mr. M'Neal,	Mr. Ten Broeck,	
Mr. Bowen,	Mr. Fort,	Mr. Ogden,	Mr. Van Alſtyne,	
Mr. Bowman,	Mr. Hall,	Mr. Pride,	Mr. Weſt,	
Mr. Burr,	Mr. Hoag,	Mr. Rice,	Mr. Wood,	29
Mr. Campbell,				

Mr. Fairlie further reported, that the committee had gone through the bill without amendment, which he was directed to report to the houſe, and he read the report in his place and delivered the ſame in at the table, where it was again read and agreed to by the houſe.

Then the houſe adjourned until ten o'clock to-morrow morning.

Thurſday, ten o'clock, A. M. April 5th, 1798.

The engroſſed bill entitled "*An act relative to the Goſpel and ſchool lots in the town of Sherburne, in the county of Chenango,*" was read the third time.

Reſolved, That the bill do paſs.

Ordered, That Mr. Vandervoort and Mr. Van Alſtyne deliver the bill to the Hon. the Senate, and requeſt their concurrence.

The bill entitled "*An act relative to the Clerk's office in the county of Herkemer,*" was read a ſecond time, and committed to a committee of the whole Houſe.

Ordered, That the committee of the whole Houſe be diſcharged from the further conſideration of the ſaid bill, and that the ſame be committed to a ſelect committee conſiſting of the Members attending in this Houſe from the county of Herkemer.

A meſſage from the Hon. the Senate, delivered by Mr. Haight and Mr. Hatfield, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "*An act to incorporate the Northern Miſſionary Society in the State of New-York,*" to which they requeſt the concurrence of this houſe. The ſaid bill was read the firſt time and ordered a ſecond reading.

By unanimous conſent the ſaid bill was read a ſecond time and committed to a committee of the whole houſe.

Ordered, That the committee of the whole houſe be diſcharged from the further conſideration of the ſaid bill, and that the ſame be committed to a ſelect committee conſiſting of Mr. Clinton, Mr. Savage and Mr. Comſtock.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Haight and Mr. Hatfield, with the bill therein mentioned, was read, that the Senate have concurred in the amendments of this houſe to the bill entitled "*An act relative to judgment and bail in the Supreme Court of Judicature of this State,*" and have amended the bill accordingly.

Ordered, That Mr. Vandervoort and Mr. Van Alſtyne return the bill to the Hon. the Senate.

A copy of a reſolution of the Hon. the Senate, alſo delivered by Mr. Haight and Mr. Hatfield, was read, and is in the words following, viz.

Reſolved, That the bill entitled "*An act to authorize the raiſing a ſum of money for making certain neceſſary accommodations for the gaol and certain repairs for the court-houſe in the county of Renſſelaer;*" the bill entitled "*An act to raiſe a ſum of money for building a court-houſe and gaol in Delaware county, and for other purpoſes therein mentioned;*" the bill entitled "*An act for raiſing monies to finiſh and repair the court-houſe and gaol in Queen's county,*" and the bill entitled "*An act for building a court-houſe and gaol in the county of Schoharie,*" notwithſtanding the objections of the Hon. the Council of Reviſion to the ſame, ſhall ſeverally become laws of this State.

Mr. Bowen, from the ſelect committee conſiſting of the Members attending in this houſe from the county of Herkemer, to whom was committed the bill entitled "*An act relative to the Clerk's office in the county of Herkemer,*" reported, that the committee had gone through the bill without amendment, which he was directed to report to the houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the houſe.

By unanimous conſent the ſaid bill was read the third time,

Reſolved, That the bill do paſs

Ordered, That Mr. Vandervoort and Mr. Van Alſtyne deliver the bill to the Hon. the Senate, and inform them that this houſe have paſſed the bill without amendment.

A meſſage from his Excellency the Governor, delivered by his private Secretary, was read, and is in the words following, viz.

GENTLEMEN,

By your reſolution of the 19th. of March, you were pleaſed to requeſt me to cauſe to be laid before you an eſtimate of the ſums neceſſary, and means to be adopted for putting the city and port of New-York in a reſpectable ſtate of defence, and to inform you whether there be grounds to expect the co-operation of the government of the United States in defraying the expenſe attending that object. My meſſage of the 21ſt of March afforded reaſon to expect further communications from me on this ſubject, and it appears to me proper that before the adjournment of the Legiſlature,

you ſhould be particularly informed of the meaſures which have been taken for the purpoſe, and of the reſult of them.

As the act of 1794 has entruſted and committed the buſineſs of fortifying the port of New-York to the excluſive management and diſcretion of the ſeven commiſſioners appointed in it by *name*, and not being authorized either officially or otherwiſe to participate in the direction of it, I underſtood your requeſt to intend only, that I ſhould obtain from them, and lay before you the deſired information; that this might be done in the moſt ample and ſatisfactory manner, I did by a letter written on the 20th of March, and incloſing a copy of your reſolution, requeſt Col. Stevens to come here immediately, and bring with him the neceſſary documents, for although they had heretofore communicated to me their plans and eſtimates, yet none of their papers remained in my poſſeſſion, and I had reaſon to believe that thoſe documents together with the information to be obtained from him, and from the other honorable and well informed commiſſioner, who during the ſeſſion has been in his place in the Senate, would give you full and ſatisfactory intelligence on the ſubject.

That letter, of which a copy is herewith laid before you, was ſent by the next poſt, but before it arrived at New-York, I underſtand Col. Stevens had ſet out for Philadelphia.

As to that part of your reſolution which requeſted me to inform you whether there be grounds to expect the co-operation of the government of the United States in defraying the expenſe attending the object in queſtion, I did, on the 20th of March, write letters on the ſubject to the Secretary at War, and to the Secretary of State, copies of which are herewith laid before you. From the Secretary of State I have ſince received a letter, of which I alſo lay a copy before you. From the Secretary at War I have not as yet received an anſwer.

JOHN JAY.

ALBANY, *April 5th*, 1798.

Ordered, That the ſaid meſſage together with the papers accompanying the ſame, be committed to a committee of the whole houſe when on the bill entitled "*An act to provide arms, accoutrements and military ſtores.*"

A meſſage from the Hon. the Senate, delivered by Mr. Haight and Mr. Hatfield, with the bill therein mentioned, was read, that the Senate do adhere to their amendment to the bill entitled "*An act to cede the juriſdiction of a certain tract of land on Hoton's Neck to the United States,*" which was not concurred in by this houſe.

Mr. Speaker put the queſtion whether the houſe did recede from their reſolution of non-concurrence to the ſaid amendment, and it paſſed in the negative. The yeas and nays being taken on motion of Mr. Brown, ſeconded by Mr. Mitchell, were as follows, viz.

For the Negative.

Mr. Adams,	Mr. Carman,	Mr. Holt,	Mr. Skidmore,	
Mr. Arcularius,	Mr. Clinton,	Mr. Horton,	Mr. A. Smith,	
Mr. Baldwin,	Mr. Coe,	Mr. Howard,	Mr. N. Smith,	
Mr. Barber,	Mr. Comſtock,	Mr. Jenkins,	Mr. T. Smith,	
Mr. J. Barker,	Mr. Cornwell,	Mr. M'Cord,	Mr. Snell,	
Mr. T. Barker,	Mr. Coryell,	Mr. M'Neal,	Mr. Storm,	
Mr. W. Barker,	Mr. De la Montagnie,	Mr. Michean,	Mr. Teed,	
Mr. Bevier,	Mr. J. C. De Witt,	Mr. Miller,	Mr. Iſrael Thompſon,	
Mr. Bowen,	Mr. Dewey,	Mr. Mitchell,	Mr. Joel Thompſon,	
Mr. Boyd,	Mr Fairlie,	Mr. Prince,	Mr. Vandervoort,	
Mr. Bruyn,	Mr. Foot,	Mr. Reeve,	Mr. Van Alſtyne,	
Mr. Burr,	Mr. Halſey,	Mr. Robins,	Mr. Warner,	
Mr. Burling,	Mr. Hatfield,	Mr. Savage,	Mr. Wood.	54
Mr. Burt,	Mr. Holly,			

For the Affirmative.

Mr. Benton,	Mr. Heermance,	Mr. Moſſet,	Mr. J. Smith,	
Mr. Bowman,	Mr. Henry,	Mr. Morſe,	Mr. Thomas,	
Mr. Brown,	Mr. Hoag,	Mr. Ogden,	Mr. Jeſſe Thompſon,	
Mr. Clifft,	Mr. J. Hogeboom,	Mr. Pride,	Mr. Verplank,	
Mr. Deitz,	Mr. K. Hogeboom,	Mr. Rice,	Mr. Wendell,	
Mr. Fort,	Mr. Maſon,	Mr. P. I. Schuyler,	Mr. Weſt,	
Mr. Hall,	Mr. Metcalfe,	Mr. P. P. Schuyler,	Mr. Wheeler.	28

Whereupon, *Reſolved*, That this houſe do adhere to their reſolution of non-concurrence to the ſaid amendment of the Hon. the Senate.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Haight and Mr. Hatfield, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled *"An act further to amend the act entitled "An act to organize the militia of this State,"* with the amendments therewith delivered.

Ordered, That the conſideration of the ſaid amendments be poſtponed.

Mr. Clinton, from the ſelect committee to whom was committed the bill entitled *"An act to incorporate the Northern Miſſionary Society of the State of New-York,"* reported that the committee had gone through the bill without amendment, which he was directed to report to the Houſe, and he read the report in his place and delivered the ſame in at the table, where it was again read and agreed to by the Houſe.

By unanimous conſent the ſaid bill was read the third time.

Reſolved, That the bill do paſs.

Ordered, That Mr. Verplank and Mr. Warner deliver the bill to the Hon. the Senate, and inform them that this houſe have paſſed the bill without amendment.

A meſſage from the Hon. the Senate, delivered by Mr. Hitchcock and Mr. Jones, with the bill therein mentioned, was read, that the Senate have concurred in the amendments of this houſe to the bill entitled *"An act declaring certain ſtreams therein named to be public highways,"* and have amended the bill accordingly.

Ordered, That Mr. Verplank and Mr. Warner return the bill to the Hon. the Senate.

A meſſage from the Hon. the Senate, alſo delivered by Mr. Hitchcock and Mr. Jones, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled *"An act for the relief of Ebenezer Mott,"* with the amendments therewith delivered. The bill and amendments were read, and the amendments being read a ſecond time, were concurred in by the houſe and the bill amended accordingly.

Ordered, That Mr. Verplank and Mr. Warner deliver the bill to the Hon. the Senate, and inform them that this houſe have concurred in their amendments to the bill and have amended the bill accordingly.

The Hon. the Senate returned by Mr. Hitchcock and Mr. Jones, the bill entitled *"An act for opening the navigation between Lake Erie and Lake Ontario,"* the bill entitled *"An act to eſtabliſh a turnpike corporation for improving the road from the ſpring in Lebanon to the city of Albany,"* the bill entitled *"An act for the ſale of certain lands in the Oneida reſervation,"* the bill entitled *"An act to exonerate certain perſons from payment of arrears of quit rents,"* the bill entitled *"An act to enable certain perſons therein named to purchaſe and hold real eſtates within this State, and for other purpoſes therein mentioned,"* and the bill entitled *"An act altering the bounds of the counties of Orange, Ulſter and Albany."*

Ordered, That Mr. Mitchell and Mr. Verplank deliver the ſix laſt mentioned bills to the Hon. the Council of Reviſion.

A meſſage from the Hon. the Senate, delivered by Mr. L'Hommedieu and Mr. Mathews, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled *"An act to amend the act entitled "An act for the further ſale of the unappropriated lands of this State, and for other purpoſes therein mentioned,"* with the amendments therewith delivered.

Ordered, That the conſideration of the ſaid amendments be poſtponed.

Mr. Maſon, from the committee of the whole houſe on the bill entitled *"An act to provide arms, accoutrements and military ſtores,"* reported, that in proceeding in the ſaid bill Mr. Burr made a motion that the committee ſhould agree to a clauſe, which was read, and is in the words following, viz.

And be it further enacted, That the Comptroller be authorized to ſell of the three per cent. ſtock belonging to this State, ſo much as may be ſufficient to produce the ſums herein before appropriated.

The queſtion being put whether the committee did agree thereto, it was carried in the affirmative. The yeas and nays being taken on motion of Mr. Fairlie, ſeconded by Mr. De la Montagnie, were as follows, viz.

For the Affirmative.

Mr. Arcularius,	Mr. Campbell,	Mr. Hoag,	Mr. P. P. Schuyler,
Mr. Baldwin,	Mr. Clift,	Mr. Holly,	Mr. Skidmore,
Mr. J. Barker,	Mr. Clinton,	Mr. Holt,	Mr. A. Smith,
Mr. T. Barker,	Mr. Coe,	Mr. Horton,	Mr. Snell,
Mr. W. Barker,	Mr. Coryell,	Mr. Jenkins,	Mr. Storm,
Mr. Bird,	Mr. Deitz,	Mr. M'Cord,	Mr. Speaker,
Mr. Bowen,	Mr. De la Montagnie,	Mr. M'Neal,	Mr. Thomas,
Mr. Bowman,	Mr. Dewey,	Mr. Micheau,	Mr. Vandervoort,
Mr. Boyd,	Mr. Fairlie,	Mr. Mitchell,	Mr. Verplank,
Mr. Brown,	Mr. Fonda,	Mr. Morse,	Mr. Warner,
Mr. Bruyn,	Mr. Fort,	Mr. Prince,	Mr. Wendell,
Mr. Burr,	Mr. Hatfield,	Mr. Pride,	Mr. West,
Mr. Burling,	Mr. Henry,	Mr. Robins,	Mr. Williamson. 53
Mr. Burt,			

For the Negative.

Mr. Adams,	Mr. Halsey,	Mr. Moffet,	Mr. Teed,
Mr. Barber,	Mr. Heermance,	Mr. Ogden,	Mr. Ten Broeck,
Mr. Benton,	Mr. J. Hogeboom,	Mr. Pearsall,	Mr. Jesse Thompson,
Mr. Carman,	Mr. K. Hogeboom,	Mr. Rice,	Mr. Israel Thompson,
Mr. Comstock,	Mr. M'Farlan,	Mr. Savage,	Mr. Van Alstyne,
Mr. Foot,	Mr. Metcalfe,	Mr. J. Smith,	Mr. Wheeler,
Mr. Gennan,	Mr. Miller,	Mr. T. Smith,	Mr. Wood. 29
Mr. Hall,			

Mr. Mason reported further progress and obtained leave to sit again.

Then the House adjourned until four o'clock this afternoon.

Four o'clock, P. M.

The House met pursuant to adjournment.

A message from the Hon. the Senate, delivered by Mr. T. Morris and Mr. J. Morris, with the bill therein mentioned, was read, that the Senate have passed the bill entitled "*An act authorizing the arrest of ships and vessels for debts contracted by the master, owner or consignee for and on account of such ships and vessels in this State,*" with the amendments therewith delivered. The bill and amendments were read, and the amendments being read a second time, were concurred in by the house and the bill amended accordingly.

A message from the Hon. the Senate, also delivered by Mr. T. Morris and Mr. J. Morris, with the bill therein mentioned, was read, that the Senate have passed the bill entitled "*An act relative to the estates of lunatics and idiots,*" with the amendments therewith delivered. The bill and amendments were read, and the amendments being read a second time, were concurred in by the house and the bill amended accordingly.

Ordered, That Mr. Warner and Mr. Wendell deliver the two last mentioned bills to the Hon. the Senate, and inform them that this house have concurred in their amendments to the said bills and that the bills are amended accordingly.

The house proceeded to the consideration of the amendments of the Hon. the Senate to the bill entitled "*An act for the relief of the representatives of Hannah Armstrong, deceased.*" The bill and amendments were read; one of which was to add a clause to the said bill, which was read, and is in the words following, viz.

And be it further enacted, That the Comptroller is hereby directed and required to lease from year to year until other Legislative provision be made in the premises, upon the best terms he can get for the same, the house belonging to the people of this State called the Government House, situate in the city of New-York, with its appurtenances.

Mr. Speaker put the question whether the house did concur with the Hon. the Senate in their said amendment, and it was carried in the affirmative. The yeas and nays being taken on motion of Mr. Fairlie, seconded by Mr. Mason, were as follows, viz.

For the Affirmative.

Mr. Baldwin,	Mr. Deitz,	Mr. Holt,	Mr. P. I. Schuyler,
Mr. Barber.	Mr. Dewey,	Mr. Horton,	Mr. P. P. Schuyler,
Mr. T. Barker,	Mr. Foot,	Mr. Jenkins,	Mr. A. Smith,
Mr. W. Barker,	Mr. Fort,	Mr. Maſon,	Mr. J. Smith,
Mr. Benton,	Mr. Gettman,	Mr. M'Cord,	Mr. N. Smith,
Mr. Bowen,	Mr. Gregory,	Mr. M'Farlan,	Mr. T. Smith,
Mr. Bowman,	Mr. Hall,	Mr. Metcalfe,	Mr Snell,
Mr. Brown,	Mr. Halſey,	Mr. Micheau,	Mr. Ten Broeck,
Mr. Burt,	Mr. Hatfield,	Mr. Moffet,	Mr. Iſrael Thompſon,
Mr. Campbell,	Mr. Heermance,	Mr. Morſe,	Mr. Jeſſe Thompſon,
Mr. Clark,	Mr. Henry,	Mr. Pearſall,	Mr Joel Thompſon,
Mr. Clifft,	Mr. Hoag,	Mr. Prince,	Mr. Van Alſtyne,
Mr. Coe,	Mr. J. Hogeboom,	Mr. Pride,	Mr. Wendell,
Mr. Comſtock,	Mr. K. Hogeboom,	Mr. Rice,	Mr. Wheeler.
Mr. Cornwell,	Mr. Holly,	Mr. Savage,	

For the Negative.

Mr. Adams,	Mr. Carman,	Mr. Fonda,	Mr. Skidmore,
Mr. Arcularius,	Mr. Clinton,	Mr. Miller,	Mr. Teed,
Mr. J. Barker,	Mr. Coryell,	Mr. Mitchell,	Mr. Verplank,
Mr. Boyd,	Mr. De la Montagnie,	Mr. Reeve,	Mr. Warner,
Mr. Burr,	Mr. Fairlie,	Mr. Robins,	Mr. Williamſon.
Mr. Burling,			

Thereupon, *Reſolved*, That this houſe do concur with the Hon. the Senate in all their amendments to the bill which are for that purpoſe deſignated in the margin of the ſaid amendments, and do not concur in their laſt amendment to the ſaid bill.

Ordered, That Mr. Warner and Mr. Wendell deliver the bill, amendments and a copy of the preceding reſolution, to the Hon. the Senate.

The Hon. the Senate returned by Mr. J. Morris and Mr. Myers, the bill entitled "*An act for the relief of Ebenezer Mott*," and the bill entitled "*An act authorizing the arreſt of ſhips and veſſels for debts contracted by the maſter, owner or conſignee, of ſuch ſhips and veſſels in this State.*"

Ordered, That that Mr. Wendell and Mr. Weſt deliver the two laſt mentioned bills to the Hon. the Council of Reviſion.

A meſſage from the Hon. the Senate, alſo delivered by Mr. J. Morris and Mr. Myers, with the bill therein mentioned, was read, that the Senate do recede from their amendment to the bill entitled "*An act for the relief of the repreſentatives of Hannah Armſtrong, deceaſed,*" which was not concurred in by this houſe.

Ordered, That Mr. Weſt and Mr. Wheeler deliver the bill to the Hon. the Senate, and inform them that this houſe have amended the bill purſuant to their amendments, which were concurred in by this houſe.

Mr. Maſon, from the committee of the whole houſe, on the bill entitled "*An act to provide arms, accoutrements and military ſtores,*" reported, that after the ſaid bill had been agreed to in the committee, the firſt enacting clauſe thereof was again read, and is in the words following, viz.

Be it enacted by the people of the State of New-York, repreſented in Senate and Aſſembly, That there be appropriated a ſum not exceeding dollars for mounting the cannon belonging to this State, or ſo many of them as the perſon adminiſtering the government ſhall think proper; a further ſum not exceeding dollars for the purchaſe of arms and accoutrements, for the uſe of the militia of this State; and a further ſum of dollars for the purchaſe of ammunition and military ſtores: That Matthew Clarkſon, James Watſon and Ebenezer Stephens, be commiſſioners for the purpoſe aforeſaid; and that they, or any two of them, do make the ſaid purchaſe agreeably to ſuch inſtructions as they may receive from the perſon adminiſtering the government of this State.

That Mr. Burr made a motion, that the firſt blank in the ſaid clauſe ſhould be filled up with the words "*twenty thouſand.*"

That Mr. Fairlie made a motion, that the ſaid blank ſhould be filled up with the words "*fifteen thouſand.*"

That Mr. Bird made a motion, that the ſaid blank ſhould be filled up with the words "*ten thouſand.*"

The queſtion being put, whether the committee did agree to the motion of Mr. Burr, it paſſed in the negative. The yeas and nays being taken on motion of Mr. Robins, ſeconded by Mr. De la Montagnie, were as follows, viz.

For the Negative.

Mr. Adams,	Mr. Dewey,	Mr. M'Cord,	Mr. J. Smith,	
Mr. Baldwin,	Mr. Foot,	Mr. M'Farlan	Mr. N. Smith,	
Mr. Barber,	Mr. Fort,	Mr. Metcalfe,	Mr. T. Smith,	
Mr. T. Barker,	Mr. Gettman,	Mr. Micheau,	Mr. Snell,	
Mr. W. Barker,	Mr. Gregory,	Mr. Miller,	Mr. Speaker,	
Mr. Benton,	Mr. Hall,	Mr. Moffet,	Mr. Teed,	
Mr. Bird,	Mr. Halfey,	Mr. Pearfall,	Mr. Ten Broeck,	
Mr. Burt,	Mr. Hatfield,	Mr. Prince,	Mr. Ifrael Thompfon,	
Mr. Carman,	Mr. Henry,	Mr. Pride,	Mr. Jeffe Thompfon,	
Mr. Clark,	Mr. Hoag,	Mr. Reeve,	Mr. Joel Thompfon,	
Mr. Clifft,	Mr. J. Hogeboom,	Mr. Rice,	Mr. Vandervoort,	
Mr. Coe,	Mr. K. Hogeboom,	Mr. Savage,	Mr. Van Alftyne,	
Mr. Comftock,	Mr. Holly,	Mr. P. I. Schuyler,	Mr. Verplank,	
Mr. Cornwell,	Mr. Holt,	Mr. P. P. Schuyler,	Mr. Wendell,	
Mr. Coryell,	Mr. Howard,	Mr. Skidmore,	Mr. Weft,	
Mr. Deitz,	Mr. Jenkins,	Mr. A. Smith,	Mr. Wheeler.	66

For the Affirmative.

Mr. Arcularius,	Mr. Burr,	Mr. Fairlie,	Mr. Robins,	
Mr. J. Barker,	Mr. Burling,	Mr. Fonda,	Mr. Storm,	
Mr. Bowman,	Mr. Clinton,	Mr. Heermance,	Mr. Warner,	
Mr. Boyd,	Mr. De la Montagnie,	Mr. Mitchell,	Mr. Wood.	16

The queftion being put, whether the committee did agree to the motion of Mr. Fairlie, it paffed in the negative.

That the queftion being put, whether the committee did agree to the motion of Mr. Bird, it was carried in the affirmative.

That Mr. Bird made a motion, that the fecond blank in the faid clauſe ſhould be filled up with the words "*twenty-five thouſand.*"

The queftion being put, whether the committee did agree to the motion of Mr. Bird, it paſſed in the negative. The yeas and nays being taken on motion of Mr. Thomas, ſeconded by Mr. Boyd, were as follows, viz.

For the Negative.

Mr. Adams,	Mr. Comftock,	Mr. Metcalfe,	Mr. T. Smith,	
Mr. Baldwin,	Mr. Cornwell,	Mr. Miller,	Mr. Snell,	
Mr. Barber,	Mr. Coryell,	Mr. Moffet,	Mr. Teed,	
Mr. J. Barker,	Mr. Deitz,	Mr. Pearfall,	Mr. Ifrael Thompfon,	
Mr. T. Barker,	Mr. Foot,	Mr. Pride,	Mr. Jeffe Thompfon,	
Mr. W. Barker,	Mr. Gettman,	Mr. Reeve,	Mr. Joel Thompfon,	
Mr. Benton,	Mr. Gregory,	Mr. Savage,	Mr. Van Alftyne,	
Mr. Campbell,	Mr. Hall,	Mr. P. P. Schuyler,	Mr. Wendell,	
Mr. Carman,	Mr. Heermance,	Mr. J. Smith,	Mr. Weft,	
Mr. Coe,	Mr. Jenkins,	Mr. N. Smith,	Mr. Wheeler.	40

For the Affirmative.

Mr. Arcularius,	Mr. Clinton,	Mr. J. Hogeboom,	Mr. A. Smith,	
Mr. Bird,	Mr. Fairlie,	Mr. K. Hogeboom,	Mr. Storm,	
Mr. Bowen,	Mr. Fonda,	Mr. Holt,	Mr. Speaker,	
Mr. Boyd,	Mr. Fort,	Mr. M'Cord,	Mr. Ten Broeck,	
Mr. Burr,	Mr. Halfey,	Mr. Mitchell,	Mr. Thomas,	
Mr. Burling,	Mr. Hatfield,	Mr. Morfe,	Mr. Verplank,	
Mr. Burt,	Mr. Henry,	Mr. Prince,	Mr. Warner,	
Mr. Clark,	Mr. Hoag,	Mr. Rice,	Mr. Williamfon.	33
Mr. Clifft,				

That Mr. Fairlie then made a motion, that the ſaid blank ſhould be filled up with the words "*twenty thouſand.*"

That the queſtion being put, whether the committee did agree to the motion of Mr. Fairlie, it was carried in the affirmative.

That Mr. Warner made a motion, that the third blank in the ſaid clauſe ſhould be filled up with the words "*twenty thouſand.*"

That the queſtion being put, whether the committee did agree to the motion of Mr. Warner, it was carried in the affirmative. The yeas and nays being taken on motion of Mr. Clinton, ſeconded by Mr. Baldwin, were as follows, viz.

For the Affirmative.

Mr. Arcularius,	Mr. Clinton,	Mr. M'Cord,	Mr. Storm,
Mr. Barber,	Mr. Coe,	Mr. Miller,	Mr. Speaker,
Mr. J. Barker,	Mr. Cornwell,	Mr. Mitchell,	Mr. Ten Broeck,
Mr. T. Barker,	Mr. De la Montagnie,	Mr. Morſe,	Mr. Thomas,
Mr. W. Barker,	Mr. Fairlie,	Mr. Pearſall,	Mr. Iſrael Thompſon,
Mr. Bowman,	Mr. Fonda,	Mr. Prince,	Mr. Joel Thompſon,
Mr. Boyd,	Mr. Halſey,	Mr. Reeve,	Mr. Verplank,
Mr. Burr,	Mr. Hatfield,	Mr. Robins,	Mr. Warner,
Mr. Burling,	Mr. Heermance,	Mr. P. P. Schuyler,	Mr. Wendell,
Mr. Burt,	Mr. Henry,	Mr. Skidmore,	Mr. Weſt,
Mr. Clark,	Mr. Holt,	Mr. A. Smith,	Mr. Williamſon.
Mr. Cliff,	Mr. Howard,	Mr. J. Smith,	41

For the Negative.

Mr. Adams,	Mr. Coryell,	Mr. J. Hogeboom,	Mr. N. Smith,
Mr. Baldwin,	Mr. Dewey,	Mr. K. Hogeboom,	Mr. T. Smith,
Mr. Benton,	Mr. Foot,	Mr. Jenkins,	Mr. Snell,
Mr. Bird,	Mr. Fort,	Mr. Metcalfe,	Mr. Teed,
Mr. Bowen,	Mr. Gettman,	Mr. Moffet,	Mr. Jeſſe Thompſon,
Mr. Campbell,	Mr. Gregory,	Mr. Pride,	Mr. Van Alſtyne,
Mr. Carman,	Mr. Hall,	Mr. Rice,	Mr. Wheeler.
Mr. Comſtock,	Mr. Hoag,	Mr. Savage,	32

Mr. Maſon further reported, that after the committee had gone through the bill and filled up the blanks, Mr. Metcalfe made a motion that the committee ſhould agree to add a clauſe at the end of the ſaid bill, which was read, and is in the words following, viz.

And be it further enacted, That it ſhall and may be lawful for the perſon adminiſtering the government of this State, and he is hereby required to loan to the United States thirty of the cannon of this State now on hand, if the ſame may be required, on condition that the United States return the ſame number of cannon of the like kind, and caſt at the ſame furnace, as ſoon as they can be procured.

That Mr. Fairlie made a motion, that the committee ſhould agree to add the following words at the end of the ſaid clauſe as an amendment thereto, viz. "if, in his opinion, the ſafety of the State will admit of it."

The queſtion being put, whether the committee did agree to the amendment propoſed by the motion of Mr. Fairlie, it paſſed in the negative. The yeas and nays being taken on motion of Mr. M'Cord, ſeconded by Mr. De la Montagnie, were as follows, viz.

For the Negative.

Mr. T. Barker,	Mr. Dewey,	Mr. Metcalfe,	Mr. Teed,
Mr. W. Barker,	Mr. Fonda,	Mr. Micheau,	Mr. Thomas,
Mr. Benton,	Mr. Foot,	Mr. Moffet,	Mr. Jeſſe Thompſon,
Mr. Bird,	Mr. Fort,	Mr. Morſe,	Mr. Joel Thompſon,
Mr. Bowen,	Mr. Gettman,	Mr. Pearſall,	Mr. Vandervoort,
Mr. Bowman,	Mr. Hall,	Mr. Prince,	Mr. Van Alſtyne,
Mr. Campbell,	Mr. Heermance,	Mr. Pride,	Mr. Verplank,
Mr. Carman,	Mr. Henry,	Mr. Rice,	Mr. Wendell,
Mr. Cliff,	Mr. Hoag,	Mr. N. Smith,	Mr. Weſt,
Mr. Cornwell,	Mr. Holt,	Mr. Snell,	Mr. Wheeler,
Mr. Coryell,	Mr. M'Farlan,	Mr. Speaker,	Mr. Williamſon. 45
Mr. Deitz,			

For the Affirmative.

Mr. Arcularius,	Mr. Clinton,	Mr. K. Hogeboom,	Mr. Robins,
Mr. Baldwin,	Mr. Coe,	Mr. Holly,	Mr. Savage,
Mr. Barber,	Mr. Comſtock,	Mr. Howard,	Mr. Skidmore,
Mr. Boyd,	Mr. De la Montagnie,	Mr. Hunt,	Mr. A. Smith,
Mr. Burr,	Mr. Fairlie,	Mr. Jenkins,	Mr. T. Smith,
Mr. Burling,	Mr. Halſey,	Mr. M'Cord,	Mr. Storm,
Mr. Burt,	Mr. Hatfield,	Mr. Mitchell,	Mr. Iſrael Thompſon,
Mr. Clark,	Mr. J. Hogeboom,	Mr. Reeve,	Mr. Warner. 32

That the queſtion being put, whether the committee did agree to the clauſe propoſed by the motion of Mr. Metcalfe, it was carried in the affirmative. The yeas and nays being taken on motion of Mr. M'Cord, ſeconded by Mr. Baldwin, were as follows, viz.

For the Affirmative.

Mr. J. Barker,	Mr. Fonda,	Mr. Micheau,	Mr. Teed,
Mr. T. Barker,	Mr. Foot,	Mr. Moffet,	Mr. Ten Broeck,
Mr. Benton,	Mr. Fort,	Mr. Morſe,	Mr. Thomas,
Mr. Bird,	Mr. Gettman,	Mr. Pearſall,	Mr. Jeſſe Thompſon,
Mr. Bowen,	Mr. Gregory,	Mr. Prince,	Mr. Joel Thompſon,
Mr. Bowman,	Mr. Hall,	Mr. Pride,	Mr. Vandervoort,
Mr. Campbell,	Mr. Heermance,	Mr. Reeve,	Mr. Van Alſtyne,
Mr. Carman,	Mr. Henry,	Mr. Rice,	Mr. Verplank,
Mr. Cornwell,	Mr. Hoag,	Mr. P. I. Schuyler,	Mr. Wendell,
Mr. Coryell,	Mr. Holt,	Mr. N. Smith,	Mr. Weſt,
Mr. Deitz,	Mr. M'Farlan,	Mr. Speaker,	Mr. Wheeler. 46
Mr. Dewey,	Mr. Metcalfe,		

For the Negative.

Mr. Arcularius,	Mr. Clifft,	Mr. J. Hogeboom,	Mr. Savage,
Mr. Baldwin,	Mr. Clinton,	Mr. K. Hogeboom,	Mr. Skidmore,
Mr. Barber,	Mr. Coe,	Mr. Howard,	Mr. A. Smith,
Mr. Boyd,	Mr. Comſtock,	Mr. Hunt,	Mr. T. Smith,
Mr. Burr,	Mr. De la Montagnie,	Mr. Jenkins,	Mr. Snell,
Mr. Burling,	Mr. Fairlie,	Mr. M'Cord,	Mr. Storm,
Mr. Burt,	Mr. Halſey,	Mr. Mitchell,	Mr. Warner,
Mr. Clark,	Mr. Hatfield,	Mr. Robins,	Mr. Williamſon. 32

Mr. Maſon further reported, that the committee had gone through the bill, made endments, added clauſes, filled up the blanks, and altered the title; that the al- d title is, "*An act to provide arms, accoutrements and military ſtores, and for loaning ain cannon,*" which he was directed to report to the houſe, and he read the report is place, and delivered the ſame in at the table, where it was again read and agreed y the houſe.

rdered, That the bill be engroſſed.

motion was made that the houſe now adjourn.

Mr. Speaker put the queſtion, whether the houſe did agree to the ſaid motion, and houſe were equally divided. The yeas and nays being taken on motion of Mr. ton, ſeconded by Mr. N. Smith, were as follows, viz.

For the Affirmative.

Barber,	Mr. Deitz,	Mr. Maſon,	Mr. Rice,
T. Barker,	Mr. Dewey,	Mr. M'Cord,	Mr. P. I. Schuyler,
Bowman,	Mr. Fairlie,	Mr. M'Farlan,	Mr. T. Smith,
Boyd,	Mr. Fonda,	Mr. Micheau,	Mr. Teed,
Burt,	Mr. Foot,	Mr. Moffet,	Mr. Ten Broeck,
Carman,	Mr. Hall,	Mr. Morſe,	Mr. Iſrael Thompſon,
Clark,	Mr. Halſey,	Mr. Pearſall,	Mr. Jeſſe Thompſon,
Coe,	Mr. Hatfield,	Mr. Pride,	Mr. Vandervoort,
Comſtock,	Mr. Howard,	Mr. Reeve,	Mr. Wendell. 39
Cornwell,			

For the Negative.

Arcularius,	Mr. Gettman,	Mr. Metcalfe,	Mr. Snell,
Baldwin,	Mr. Gregory,	Mr. Mitchell,	Mr. Storm,
Benton,	Mr. Heermance,	Mr. Prince,	Mr. Thomas,
Bird,	Mr. Hoag,	Mr. Robins,	Mr. Joel Thompſon,
Bowen,	Mr. J. Hogeboom,	Mr. Savage,	Mr. Van Alſtyne,
Burr,	Mr. K. Hogeboom,	Mr. Skidmore,	Mr. Verplank,
Burling,	Mr. Holt,	Mr. A. Smith,	Mr. Warner,
Campbell,	Mr. Hunt,	Mr. J. Smith,	Mr. Weſt,
Clifft,	Mr. Jenkins,	Mr. N. Smith,	Mr. Wheeler. 37
Fort,			

. Speaker gave the caſting voice in the negative.

ereupon the ſame motion was again made that the houſe now adjourn.

. Speaker again put the queſtion, and it was carried in the affirmative.

en the Houſe adjourned until nine o'clock to-morrow morning.

Friday, nine o'clock, A. M. April 6th, 1798.

e engroſſed bill entitled "*An act to provide arms accoutrements and military ſtores, r loaning certain cannon,*" was read the third time.

olved, That the bill do paſs.

lered, That Mr. Weſt and Mr. Wheeler deliver the bill to the Hon. the Senate equeſt their concurrence.

The bill entitled "*An act regulating the future meetings of the Legiſlature,*" was re the third time. Mr. Speaker put the queſtion whether the ſaid bill do paſs, and was carried in the affirmative. The yeas and nays being taken on motion of Benton, ſeconded by Mr. Boyd, were as follows, viz.

For the Affirmative.

Mr. Adams,	Mr. Cornwell,	Mr. Hunt,	Mr. A. Smith,
Mr. Arcularius,	Mr. Coryell,	Mr. Jenkins,	Mr. J. Smith,
Mr. Baldwin,	Mr. De la Montagnie,	Mr. Maſon,	Mr Snell,
Mr. Barber,	Mr. J. A. De Witt,	Mr. M'Cord,	Mr. Storm,
Mr. J. Barker,	Mr. Fairlie,	Mr. M'Farlan,	Mr. Iſrael Thompſon,
Mr. Boyd,	Mr. Fonda,	Mr. Micheau,	Mr. Jeſſe Thompſon,
Mr. Burt,	Mr. Foot,	Mr. Miller,	Mr Joel Thompſon,
Mr. Clark,	Mr. Halſey,	Mr. Pearſall,	Mr. Vandervoort,
Mr. Clinton,	Mr. Hatfield,	Mr. Reeve,	Mr. Van Alſtyne,
Mr. Coe,	Mr. Henry,	Mr. Robins,	Mr. Verplank,
Mr. Comſtock,	Mr. Howard,	Mr. Skidmore,	Mr. Wendell.

For the Negative.

Mr. T. Barker,	Mr. Burr,	Mr. Hall,	Mr. Pride,
Mr. Benton,	Mr. Burling,	Mr. Heermance,	Mr. Rice,
Mr. Bevier,	Mr. Campbell,	Mr. J. Hogeboom,	Mr. P. P. Schuyler,
Mr. Bowen,	Mr. Deitz,	Mr. K. Hogeboom,	Mr. Weſt,
Mr. Bowman,	Mr. J. C. De Witt,	Mr. Morſe,	Mr. Wheeler.
Mr. Brown,	Mr. Dewey,	Mr. Prince,	

Thereupon, *Reſolved*, That the bill do paſs.

Ordered, That Mr. Weſt and Mr. Wheeler deliver the bill to the Hon. the Sena and inform them that this houſe have paſſed the bill without amendment.

A meſſage from his Excellency the Governor, delivered by his private ſecreta was read, and is in the words following, viz.

GENTLEMEN,

I have the honor of laying before you a letter from the Secretary at War, da the 28th March, together with the report mentioned in it.

JOHN JA

ALBANY, *April 6th*, 1798.

The Hon. the Senate returned by Mr. Myers and Mr. Nicoll, the bill "*An a the relief of the repreſentatives of Hannah Armſtrong, deceaſed,*" and the bill ent "*An act relative to the eſtates of lunatics and idiots.*"

Ordered, That Mr. Wheeler and Mr. Williamſon deliver the two laſt mentio bills to the Hon. the Council of Reviſion.

A motion was made that the houſe ſhould reſolve itſelf into a committee of whole houſe on the bill entitled "*An act aſcertaining the perſons who are entitled to ty lands for military ſervices.*" Mr. Speaker put the queſtion whether the houſe agree thereto, and it was carried in the affirmative. The yeas and nays being on motion of Mr. Boyd, ſeconded by Mr. K. Hogeboom, were as follows, viz.

For the Affirmative.

Mr. Arcularius,	Mr. Coe,	Mr. K. Hogeboom,	Mr. Robins,
Mr. Baldwin,	Mr. Deitz,	Mr. Howard,	Mr. Savage,
Mr. Barber,	Mr. J. A. De Witt,	Mr. Hunt,	Mr. P. I. Schuyler,
Mr. Benton,	Mr. J. C. De Witt,	Mr. Jenkins,	Mr. Skidmore,
Mr. Bowman,	Mr. Fairlie,	Mr. M'Cord,	Mr. Snell,
Mr. Boyd,	Mr. Foot,	Mr. M'Farlan,	Mr. Ten Broeck,
Mr. Burr,	Mr. Fort,	Mr. Micheau,	Mr. Thomas,
Mr. Burling,	Mr. Halſey,	Mr. Mitchell,	Mr. Iſrael Thomp
Mr. Burt,	Mr. Hatfield,	Mr. Ogden,	Mr. Joel Thomp
Mr. Campbell,	Mr. Hoag,	Mr. Prince,	Mr. Wendell,
Mr. Clinton,	Mr. J. Hogeboom,	Mr. Rice,	Mr. Wheeler.

For the Negative.

Mr. Adams,	Mr. Comſtock,	Mr. Metcalfe,	Mr. T. Smith,
Mr. J. Barker,	Mr. Cornwell,	Mr. Miller,	Mr. Jeſſe Thom
Mr. T. Barker,	Mr. Coryell,	Mr. Pearſall,	Mr. Vandervoor
Mr. Bevier,	Mr. Dewey,	Mr. Reeve,	Mr. Verplank,
Mr. Bowen,	Mr. Gettman,	Mr. P. P. Schuyler,	Mr. Weſt,
Mr. Brown,	Mr. Hall,	Mr. A. Smith,	Mr. Williamſon.
Mr. Carman,	Mr. Heermance,	Mr. J. Smith,	

Thereupon, the houſe reſolved itſelf into a committee of the whole houſe on the ſaid bill, and after ſome time ſpent thereon, Mr. Speaker reſumed the chair, and Mr. J. Hogeboom, from the ſaid committee, reported the proceedings of the committee to have been as follows, viz. that the enacting clauſe thereof was read, and is in the words following, viz.

Be it enacted by the people of the State of New-York repreſented in Senate and Aſſembly, That the following deſcription of perſons ſhall be conſidered as entitled to bounties of lands according to their reſpective grades, viz. every perſon or the heirs of ſuch perſon who being a citizen of this State, ſerved years in the line, or in the hoſpital, or in the ſtaff of the army of the United States; every perſon who having ſerved as aforeſaid, became on or before the day of who now is, or if deceaſed, who continued until the time of his death an inhabitant and citizen of this State, and who obtained an honorable diſcharge from the army of the United States, or being entitled thereto, was prevented from obtaining the ſame by being a priſoner of war, or by other unavoidable accidents.

That the queſtion being put whether the committee did agree thereto, it was carried in the affirmative. The yeas and nays being taken on motion of Mr. Bowman, ſeconded by Mr. Barber, were as follows, viz.

For the Affirmative.

Mr. Baldwin,	Mr. Coe,	Mr. Hoag,	Mr. Skidmore,
Mr. Barber,	Mr. Deitz,	Mr. K. Hogeboom,	Mr. Snell,
Mr. Benson,	Mr. De la Montagnie,	Mr. Hunt,	Mr. Speaker,
Mr. Bevier,	Mr. Fairlie,	Mr. Jenkins,	Mr. Ten Broeck,
Mr. Bird,	Mr. Fonda,	Mr. M'Cord,	Mr. Thomas,
Mr. Bowman,	Mr. Foot,	Mr. Mitchell,	Mr. Iſrael Thompſon,
Mr. Boyd,	Mr. Fort,	Mr. Ogden,	Mr. Joel Thompſon,
Mr. Burling,	Mr. Gettman,	Mr. Prince,	Mr. Wendell,
Mr. Burt,	Mr. Halſey,	Mr. Robins,	Mr. Weſt,
Mr. Campbell,	Mr. Hatfield,	Mr. P. I. Schuyler,	Mr. Wheeler, 42
Mr. Clinton,	Mr. Heermance,		

For the Negative.

Mr. Adams,	Mr. Coryell,	Mr. Pearſall,	Mr. J. Smith,
Mr. J. Barker,	Mr. Howard,	Mr. Pride,	Mr. Teed,
Mr. T. Barker,	Mr. Metcalfe,	Mr. Reeve,	Mr. Jeſſe Thompſon, 15
Mr. Bowen,	Mr. Miller,	Mr. A. Smith,	

That in proceeding further, Mr. Bird made a motion that the committee ſhould agree to an amendment to the ſaid clauſe, which was read, and is in the words following, viz.

"And alſo Walter Vrooman Wemple, who ſerved as a ſurgeon in the northern army in the campaigns of 1776 and 1777, and who from the arrangements in that department was obliged to leave the ſervice."

The queſtion being put whether the committee did agree to the amendment propoſed by the motion of Mr. Bird, it paſſed in the negative. The yeas and nays being taken on motion of Mr. Benton, ſeconded by Mr. Bird, were as follows, viz.

For the Negative.

Mr. Baldwin,	Mr. Carman,	Mr. Halſey,	Mr. N. Smith,
Mr. J. Barker,	Mr. Clift,	Mr. Hatfield,	Mr. T. Smith,
Mr. T. Barker,	Mr. Coe,	Mr. Horton,	Mr. Snell,
Mr. Bowen,	Mr. Cornwell,	Mr. Maſon,	Mr. Teed,
Mr. Bowman,	Mr. Coryell,	Mr. M'Cord,	Mr. Thomas,
Mr. Boyd,	Mr. Deitz,	Mr. Pride,	Mr. Iſrael Thompſon,
Mr. Brown,	Mr. J. C. De Witt,	Mr. Rice,	Mr. Joel Thompſon,
Mr. Burling,	Mr. Foot,	Mr. Savage,	Mr. Verplank,
Mr. Burt,	Mr. Hall,	Mr. A. Smith,	Mr. Weſt. 37
Mr. Campbell,			

For the Affirmative.

Mr. Arcularius,	Mr. Gettman,	Mr. Jenkins,	Mr. Skidmore,
Mr. Barber,	Mr. Heermance,	Mr. Mitchell,	Mr. Speaker,
Mr. Benton,	Mr. Hoag,	Mr. Morſe,	Mr. Ten Broeck,
Mr. Bird,	Mr. K. Hogeboom,	Mr. Ogden,	Mr. Wendell,
Mr. Burr,	Mr. Hunt,	Mr. Robins,	Mr. Wheeler. 20

Mr. J. Hogeboom further reported, that the committee had gone through the bill, made amendments, and filled up the blanks, which he was directed to report to the houſe, and he read the report in his place and delivered the ſame in at the table, where it was again read and agreed to by the houſe.

Ordered, That the bill engroſſed.

Mr. Benton, purſuant to notice by him for that purpoſe heretofore given, made a motion that the houſe ſhould agree to reconſider the queſtion taken on rejecting the bill entitled "*An act eſtabliſhing the Secretary's office in the city of Albany.*" Mr. Speaker put the queſtion whether the houſe did agree to reconſider the ſaid queſtion, and it paſſed in the negative. The yeas and nays being taken on motion of Mr. Howard, ſeconded by Mr. Reeve, were as follows, viz.

For the Negative.

Mr. Adams,	Mr. Clifft,	Mr. J. Hogeboom,	Mr. Robins,
Mr. Arcularius,	Mr. Clinton,	Mr. Howard,	Mr. Skidmore,
Mr. Barber,	Mr. Coe,	Mr. Hunt,	Mr. A. Smith,
Mr. J. Barker,	Mr. Cornwell,	Mr. Jenkins,	Mr. J. Smith,
Mr. Bowman,	Mr. De la Montagnie,	Mr. M'Cord,	Mr. Teed,
Mr. Boyd,	Mr. J. C. De Witt,	Mr. Micheau,	Mr. Ten Broeck,
Mr. Bruyn,	Mr. Fairlie,	Mr. Miller,	Mr. Jeſſe Thompſon,
Mr. Burr,	Mr. Hall,	Mr. Mitchell,	Mr. Vandervoort,
Mr. Burling,	Mr. Halſey,	Mr. Pearſall,	Mr. Verplank,
Mr. Burt,	Mr. Hatfield,	Mr. Reeve,	Mr. Warner. 41
Mr. Carman,			

For the Affirmative.

Mr. Baldwin,	Mr. Deitz,	Mr. Ogden,	Mr. Snell,
Mr. T. Barker,	Mr. Fort,	Mr. Prince,	Mr. Thomas,
Mr. Benton,	Mr. Gettman,	Mr. Pride,	Mr. Iſrael Thompſon,
Mr. Bird,	Mr. Gregory,	Mr. Rice,	Mr. Joel Thompſon,
Mr. Bowen,	Mr. Heermance,	Mr. Savage,	Mr. Van Alſtyne,
Mr. Campbell,	Mr. Hoag,	Mr. P. I. Schuyler,	Mr. Wendell,
Mr. Clark,	Mr. Metcalfe,	Mr. P. P. Schuyler,	Mr. Weſt,
Mr. Comſtock,	Mr. Moffet,	Mr. N. Smith,	Mr. Wheeler,
Mr. Coryell,	Mr. Morſe,	Mr. T. Smith,	Wr. Williamſon. 36

A meſſage from the Hon. the Senate, delivered by Mr. Phelps and Mr. Ruſſell, with the bill therein mentioned, was read, that the Senate have paſſed the bill entitled "*An act for the relief of the truſtees of the firſt Preſbyterian congregation adhering to the aſſociate reformed Synod in Salem, in the county of Waſhington,*" without amendment.

Ordered, That Mr. Adams and Mr. Arcularius deliver the bill to the Hon. the Council of Reviſion.

Mr. Fairlie, agreeable to notice given on the 4th inſtant, made a motion that the houſe ſhould agree to reconſider the queſtion taken on expunging the firſt clauſe of the bill entitled "*An act concerning the Circuit Courts and Courts of Oyer and Terminer and Gaol Delivery.*" Mr. Speaker put the queſtion whether the houſe did agree to reconſider the ſaid queſtion, and it was carried in the affirmative. Thereupon,

Ordered, That the ſaid bill be recommitted to a committee of the whole houſe.

Then the houſe reſolved itſelf into a committee of the whole houſe on the ſaid bill, and after ſome time ſpent thereon, Mr. Speaker reſumed the chair, and Mr. Jenkins from the ſaid committee, reported, that after the ſaid bill had been read in the committee a motion was made that the committee ſhould riſe, report progreſs, and aſk for leave to ſit again. That the queſtion being put whether the committee did agree thereto, it was carried in the affirmative. The yeas and nays being taken on motion of Mr. Fairlie, ſeconded Mr. Mitchell, were as follows, viz.

For the Affirmative.

Mr. Adams,	Mr. Clifft,	Mr. Maſon,	Mr. P. P. Schuyler,
Mr. Barber,	Mr. Cornwell,	Mr. Mercalfe,	Mr. J. Smith,
Mr. J. Barker,	Mr. Dewey,	Mr. Micheau,	Mr. Teed,
Mr. T. Barker,	Mr. Fort,	Mr. Moffet,	Mr. Joel Thompſon,
Mr. Benton,	Mr. Gettman,	Mr. Ogden,	Mr. Vandervoort,
Mr. Bowman,	Mr. Hall,	Mr. Pearſall,	Mr. Weſt,
Mr. Carman,	Mr. Heermance,	Mr. Pride,	Mr. Williamſon. 31
Mr. Clark,	Mr. J. Hogeboom,	Mr. Reeve,	

For the Negative.

Mr. Bowen,	Mr. Fairlie,	Mr. M'Cord,	Mr. Ten Broeck,
Mr. Burr,	Mr. Gregory,	Mr. Miller,	Mr. Iſrael Thompſon,
Mr. Burling,	Mr. Halſey,	Mr. Mitchell,	Mr. Jeſſe Thompſon,
Mr. Burt,	Mr. Hatfield,	Mr. Robins,	Mr. Verplank,
Mr. Clinton,	Mr. Hoag,	Mr. Skidmore,	Mr. Wendell, 14
Mr. Coe,	Mr. K. Hogeboom,	Mr. Speaker,	Mr. Wheeler.
Mr. De la Montagnie,	Mr. Hunt,		

ich he was directed to report to the houſe, and he read the report in his place and vered the ſame in at the table, where it was again read and agreed to by the houſe.
hereupon, *Ordered*, That the ſaid committee have leave to ſit again.
eſolved, That the Secretary of this State cauſe to be printed fifty copies of the act led "*An act for altering the bounds of the counties of Orange, Ulſter and Albany*," for uſe of the Members attending in this houſe from the county of Orange.
meſſage from the Hon. the Council of Reviſion, delivered by the Hon. the f Juſtice, was read, that it does not appear improper to the Council that the bill tled "*An act regulating the liberties of gaols*;" the bill entitled "*An act to eſtabliſh a pike corporation for improving the road from the ſprings in Lebanon to the city of Al-*;" the bill entitled "*An act for opening the navigation between Lake Erie and Lake ario*;" the bill entitled "*An act altering the bounds of the counties of Orange, Ulſter Albany*;" the bill entitled "*An act to enable certain perſons therein named to purchaſe hold real eſtates within this State, and for other purpoſes therein mentioned*;" the bill tled "*An act for the ſale of certain lands in the Oneida reſervation*," and the bill en- d "*An act to exonerate certain perſons from paying arrears of quit rents*," ſhould ſev- ly become laws of this State.
hen the Houſe adjourned until four o'clock this afternoon.

Four o'clock, P. M.

The Houſe met purſuant to adjournment.

eſolved, (if the Hon. the Senate concur herein) That the Secretary of State be, he is hereby directed to prepare for the preſs the titles of the acts paſſed by the iſlature during the preſent ſeſſion; and that the Printer of this State be directed ubliſh one hundred and fifty copies of the ſame, for the uſe of the Members, as n as may be.
rdered, That Mr. Benton and Mr. Bird deliver a copy of the preceding reſolu- to the Hon. the Senate.
Mr. Bowman made a motion, that the houſe ſhould agree to reconſider their reſo- on of non-concurrence in the amendments of the Hon. the Senate to the bill enti- "*An act to cede the juriſdiction of certain lands in this State to the United States.*"
Mr. Speaker put the queſtion, whether the houſe did agree to the motion of Mr. man, and it was carried in the affirmative.
motion was made, that the houſe ſhould recede from their reſolution of non- currence in the amendment of the Hon. the Senate to the ſaid bill.
Mr. Speaker put the queſtion, whether the houſe did recede from their reſolution on-concurrence to the amendment of the Hon. the Senate to the ſaid bill, and it carried in the affirmative. The yeas and nays being taken on motion of Mr. man, ſeconded by Mr. Benton, were as follows, viz.

For the Affirmative.

r. T. Barker,	Mr. Hall,	Mr. Ogden,	Mr. Ten Broeck,	
r. Benton,	Mr. Heermance,	Mr. Pearſall,	Mr. Iſrael Thompſon,	
r. Bowman,	Mr. Hoag,	Mr. Pride,	Mr. Jeſſe Thompſon,	
r. Campbell,	Mr. J. Hogeboom,	Mr. P. I. Schuyler,	Mr. Joel Thompſon,	
r. Clifft,	Mr. K. Hogeboom,	Mr. P. P. Schuyler,	Mr. Verplank,	
r. Cornwell,	Mr. Maſon,	Mr. J. Smith,	Mr. Wendell,	
r. Deitz,	Mr. M'Farlan,	Mr. N. Smith,	Mr. Weſt,	
r. Foot,	Mr. Moffet,	Mr. Snell,	Mr. Wheeler,	
r. Fort,	Mr. Morſe,	Mr. Teed,	Mr. Williamſon.	37
r. Gettman,				

For the Negative.

r. Adams,	Mr. Burr,	Mr. J. A. De Witt,	Mr. M'Cord,	
r. Baldwin,	Mr. Burling,	Mr. J. C. De Witt,	Mr. Miller,	
r. J. Barker,	Mr. Burt,	Mr. Gregory,	Mr. Mitchell,	
r. Bevier,	Mr. Carman,	Mr. Halſey,	Mr. Reeve,	
r. Bowen,	Mr. Clinton,	Mr. Hatfield,	Mr. Robins,	
r. Boyd,	Mr. Coe,	Mr. Hunt,	Mr. Skidmore,	
r. Bruyn,	Mr. De la Montagnie,	Mr. Jenkins,	Mr. A. Smith.	28

hereupon, *Reſolved*, That this houſe do recede from their reſolution of non-con- nce in the amendment of the Hon. the Senate to the ſaid bill.
rdered, That Mr. J. Barker and Mr. T. Barker deliver the bill to the Hon. the te, and inform them that this houſe have receded from their reſolution of non-

concurrence in their amendment to the ſaid bill, and have amended the ſame accordingly.

Mr. Brown made a motion, that the houſe ſhould proceed to the conſideration of the reſolution of the Hon. the Senate, as entered on the journals of this houſe on the 27th of March laſt.

Mr. Speaker put the queſtion, whether the houſe did agree to the motion of Mr. Brown, and it was carried in the affirmative. The yeas and nays being taken on motion of Mr. Bowman, ſeconded by Mr. Boyd, were as follows, viz.

For the Affirmative.

Mr. J. Barker,	Mr. Deitz,	Mr. M'Farlan,	Mr. N. Smith,
Mr. T. Barker,	Mr. Foot,	Mr. Micheau,	Mr. Snell,
Mr. Benton,	Mr. Gettman,	Mr. Miller,	Mr. Teed,
Mr. Bowen,	Mr. Hall,	Mr. Moffet,	Mr. Ten Broeck,
Mr. Bowman,	Mr. Heermance,	Mr. Ogden,	Mr. Ifrael Thompſon,
Mr. Brown,	Mr. Hoag,	Mr. Pearſall,	Mr. Jeſſe Thompſon,
Mr. Campbell,	Mr. J. Hogeboom,	Mr. Reeve,	Mr. Vandervoort,
Mr. Carman,	Mr. Horton,	Mr. P. I. Schuyler,	Mr. Verplank,
Mr. Clifft,	Mr. Howard,	Mr. P. P. Schuyler,	Mr. Wendell,
Mr. Cornwell,	Mr. Maſon,	Mr. J. Smith,	Mr. Weſt.

For the Negative.

Mr. Adams,	Mr. Burling,	Mr. Hatfield,	Mr. Mitchell,
Mr. Baldwin,	Mr. Burt,	Mr. K. Hogeboom,	Mr. Robins,
Mr. Boyd,	Mr. Coe,	Mr. Hunt,	Mr. Skidmore,
Mr. Bruyn,	Mr. De la Montagnie,	Mr. Jenkins,	Mr. A. Smith.
Mr. Burr,	Mr. Fairlie,	Mr. M'Cord,	

Thereupon the houſe proceeded to the conſideration of the ſaid reſolution.

A motion was made that the houſe do concur with the Hon. the Senate in the ſaid reſolution.

Mr. Speaker put the queſtion, whether the houſe did concur with the Hon. the Senate in their ſaid reſolution, and it was carried in the affirmative. The yeas and nays being taken on motion of Mr. Brown, ſeconded by Mr. Baldwin, were as follows, viz.

For the Affirmative.

Mr. J. Barker,	Mr. Foot,	Mr. Micheau,	Mr. Snell,
Mr. T. Barker,	Mr. Gettman,	Mr. Miller,	Mr. Teed,
Mr. Benton,	Mr. Hall,	Mr. Moffet,	Mr. Ten Broeck,
Mr. Bowen,	Mr. Heermance,	Mr. Ogden,	Mr. Ifrael Thompſon,
Mr. Bowman,	Mr. Hoag,	Mr. Pearſall,	Mr. Jeſſe Thompſon,
Mr. Brown,	Mr. J. Hogeboom,	Mr. Reeve,	Mr. Joel Thompſon,
Mr. Campbell,	Mr. Horton,	Mr. P. I. Schuyler,	Mr. Vandervoort,
Mr. Carman,	Mr. Howard,	Mr. P. P. Schuyler,	Mr. Verplank,
Mr. Clifft,	Mr. Maſon,	Mr. J. Smith,	Mr. Wendell,
Mr. Cornwell,	Mr. M'Farlan,	Mr. N. Smith,	Mr. Weſt.
Mr. Deitz,			

For the Negative.

Mr. Adams,	Mr. Burling,	Mr. K. Hogeboom,	Mr. Mitchell,
Mr. Baldwin,	Mr. Burt,	Mr. Hunt,	Mr. Robins,
Mr. Boyd,	Mr. Coe,	Mr. Jenkins,	Mr. Skidmore,
Mr. Bruyn,	Mr. Hatfield,	Mr. M'Cord,	Mr. A. Smith.
Mr. Burr,			

Ordered, That Mr. Hoag and Mr. Hunt deliver a copy of the preceding reſolution of concurrence to the Hon. the Senate.

Mr. Jenkins, from the committee of the whole houſe, on the bill entitled "*An act concerning the Circuit Courts and Courts of Oyer and Terminer and Gaol Delivery*," reported, that the committee had gone through the bill and made amendments, which he was directed to report to the houſe, and he read the report in his place, and delivered the ſame in at the table, where it was again read and agreed to by the houſe.

Ordered, That Mr. Fairlie and Mr. Carman deliver the bill to the Hon. the Senate and inform them that this houſe have paſſed the ſame with the amendments therein delivered.

A meſſage from the Hon. the Council of Reviſion, delivered by the Hon. the Chief Juſtice, was read, that it does not appear improper to the Council that the bill entitled "*An act for the relief of the Truſtees of the Firſt Preſbyterian Congregation, adhering*

Associate Reformed Synod, in Salem, in the county of Washington ;" the bill entitled "*An act relative to the estates of Lunatics and Idiots ;*" the bill entitled "*An act for the relief of the representatives of Hannah Armstrong, deceased, and for other purposes therein mentioned,*" and the bill entitled "*An act for the relief of Ebenezer Mott,*" should severally become laws of this State.

A message from the Hon. the Council of Revision, also delivered by the Hon. the Chief Justice, was read, and is in the words following, viz.

The Council think it improper that the bill entitled "*An act to authorize the raising a sum of money to repair the court-house and gaol in the county of Columbia,*" should become a law of this State, for the objections and reasons which they have offered to other tax bills of the like kind; and to which objections and reasons they refer.

JOHN JAY.

Thereupon, *Resolved*, That the said bill, notwithstanding the objections of the Hon. the Council of Revision to the same, become a law of this State.

Ordered, That Mr. K. Hogeboom and Mr. Hunt deliver the said bill, objections and a copy of the preceding resolution, to the Hon. the Senate.

A copy of a resolution of the Hon. the Senate, delivered by Mr. Savage and Mr. Schenck, was read, that the Senate do concur with this house in their resolution entered on the journals this day, directing the Secretary of this State to prepare the titles of the acts passed the present session of the Legislature for the press.

The Hon. the Senate returned by Mr. Tappen and Mr. Ten Eyck, the bill entitled "*An act to cede the jurisdiction of certain lands in this State to the United States.*"

Ordered, That Mr. Jenkins and Mr. Mitchell deliver the bill to the Hon. the Council of Revision.

A message from the Hon. the Council of Revision, delivered by his honor the Chief Justice, was read, that it does not appear improper to the Council that the bill entitled "*An act to cede the jurisdiction of certain lands in this State to the United States,*" should become a law of this State.

Three several messages from the Hon. the Council of Revision, transmitted to this house by the Hon. the Senate, were read, that it does not appear improper to the Council that the bill entitled "*An act to amend the act entitled "An act for the relief of Nathaniel Mallory ;*" the bill entitled "*An act to revive the act entitled "An act for the relief of the Examiner in Chancery ;*" the bill entitled "*An act further to amend the laws relative to lock navigation within this State, and for other purposes therein mentioned ;*" the bill entitled "*An act relative to the clerk's office of the county of Herkemer ;*" the bill entitled "*An act relative to judgments and bail in the Supreme Court of Judicature of this State ;*" the bill entitled "*An act concerning the bridge over the Mohawk river below the Shoes Falls ;*" the bill entitled "*An act to incorporate the Northern Missionary Society in the State of New-York ;*" the bill entitled "*An act regulating the future meetings of the Legislature ;*" and the bill entitled "*An act concerning the Circuit Courts and the Courts of Oyer and Terminer and Gaol Delivery,*" should severally become laws of the State.

Ordered, That Mr. P. I. Schuyler and Mr. De la Montagnie wait on his Excellency the Governor, and inform him that the Legislature will immediately adjourn, unless his Excellency has further business of importance to communicate.

Mr. P. I. Schuyler reported, that Mr. De la Montagnie and himself, pursuant to the order of this house, had waited on his Excellency the Governor with the message from this house, and that his Excellency had been pleased to say that he had not any other communications at present to make to the Legislature.

A copy of a resolution of the Hon. the Senate, was read, that the Senate do concur with this house in their resolution that the Legislature will immediately adjourn.

Thereupon, pursuant to concurrent resolutions of the Senate and Assembly, Mr. Speaker adjourned the house without day.

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ERRATA.

Page 195, in the ſtatement of the Superintendant of the Salt Works, "total con-ts in gallons," for 1499, read 10,499.

Page 232, on the queſtion for agreeing to an amendment of the Hon. the Senate the bill entitled "*An act to amend the act making alterations in the Criminal Law of is State and for erecting State Priſons,*" by which amendment it was propoſed to niſh the crime of arſon by death, the diviſion ſhould be as follows:

For the Negative.

Mr. Adams,	Mr. Clinton,	Mr. Hovey,	Mr. Robins,
Mr. Arcularins,	Mr. Coe,	Mr. Howard,	Mr. A. Smith,
Mr. Barber,	Mr. Comſtock,	Mr. Hunt,	Mr. N. Smith,
Mr. J. Barker,	Mr. Coryell,	Mr. Jenkins,	Mr. T. Smith,
Mr. W. Barker,	Mr. De la Montagnie,	Mr. Lee,	Mr. Storm,
Mr. Benton,	Mr. Dewey,	Mr. Maſon,	Mr. Teed,
Mr. Bowen,	Mr. Fairlie,	Mr. M'Cord,	Mr. Iſrael Thompſon,
Mr. Bowman,	Mr. Foot,	Mr. M'Neal,	Mr. Jeſſe Thompſon,
Mr. Brown,	Mr. Gray,	Mr. Micheau,	Mr. Vandervoort,
Mr. Burr,	Mr. Gregory,	Mr. Mitchell,	Mr. Warner,
Mr. Burling,	Mr. Griſwold,	Mr. Moſſet,	Mr. Wheeler,
Mr. Carman,	Mr. Halſey,	Mr. Morſe,	Mr. Williamſon,
Mr. Clark,	Mr. Horton,	Mr. Reeve,	Mr. Wood. 52

For the Affirmative.

Mr. T. Barker,	Mr. Hatfield,	Mr. Ogden,	Mr. Snell,
Mr. Bevier,	Mr. Heermance,	Mr. Pearſall,	Mr. Ten Broeck,
Mr. Boyd,	Mr. Henry,	Mr. Potter,	Mr. Thomas,
Mr. Bruyn,	Mr. Hoag,	Mr. Prince,	Mr. Joel Thompſon,
Mr. Clifft,	Mr. J. Hogeboom,	Mr. Pride,	Mr. Van Alſtyne,
Mr. J. A. De Witt,	Mr. K. Hogeboom,	Mr. Savage,	Mr. Verplank,
Mr. J. C. De Witt,	Mr Holly,	Mr. P. P. Schuyler,	Mr. Voſburgh,
Mr. Fonda,	Mr. Kane,	Mr. [illegible],	Mr. Wendell,
Mr. Fort,	Mr. M'Farlan,	Mr. [illegible],	Mr. Weſt. 38
Mr. Gettman,	Mr. Metcalfe,		

FINIS.